



**Michigan
Technological
University**

**Annual Security &
Fire Safety Report**

2024

**Crime Statistics for calendar years
2023, 2022 and 2021**

Table of Contents

University Profile	4
Department of Public Safety and Police Services	5
Reporting Criminal Incidents and Other Emergencies	6
Campus Emergency Telephones	6
Confidential Reporting	7
Security Considerations in the Maintenance of Campus Facilities	7
Missing Person Notification	8
Timely Warning Notices and Emergency Notifications	9
Emergency Preparedness	10
Sex Offender Information	10
Daily Crime Log	10
Crime Prevention Education and Awareness	10
Special Victims Unit	11
Michigan Tech Emergency Medical Services	12
Emergency Guide	12
Hostile Intruder Response Plan	12
Title IX and Sexual Harassment Policy	13
Good Samaritan Provision	41
Bystander Intervention and Risk Reduction	41
Educational Programs Related to Sexual Misconduct	43
Notification to Students Regarding Alcohol/Drug Policies	48
Campus Security Authorities	53
Definitions related to Crime Statistics	53
State of Michigan Criminal Sexual Conduct Law	55
Three-Year Crime Statistics – Houghton Campus	63
Three-Year Crime Statistics – Ford Center	64
Fire Safety Report	66
Fire Safety Systems	66
Electric Appliance, Smoking and Open Flames Policy	67
Fire Drills and Evacuation Procedures	67
Fire Safety Education and Training	68
2023 Fire Statistics – Houghton Campus	70
2023 Fire Statistics – Ford Center	71
2022 Fire Statistics – Houghton Campus	72

2022 Fire Statistics – Ford Center	73
2021 Fire Statistics – Houghton Campus	74
2021 Fire Statistics – Ford Center	75

University Profile

Vision Statement

Michigan Tech is a globally recognized technological university that educates students, advances knowledge, and innovates to improve the quality of life and to promote mutual respect and equity for all people within the state, the nation, and the global community.

Mission Statement

Create solutions for society's challenges by delivering action-based undergraduate and graduate education, discovering new knowledge through research, and launching new technologies through innovation.

Size

Michigan Tech enrolls approximately 7,400 undergraduate and graduate students from across the nation and around the world.

University History

For 139 years, Michigan Tech faculty has explored the boundaries of knowledge while teaching students to become citizens who contribute to the sustainability of our world.

In 1885, the University was founded as the Michigan Mining School, specializing in training for mining engineers, with four faculty members and twenty-three students in the second story of the old Houghton Fire Hall.

During the period of 1887 to 1898, student and faculty numbers increased, and the School was moved to its present location. Between 1925 and 1935, the Michigan Mining School became the Michigan College of Mining and Technology.

By the time the institution became officially known as Michigan Technological University in 1964, several programs had been added to the curriculum: chemical, electrical, civil, mechanical, and geological engineering; forestry; engineering administration; and physics. Under the leadership of J. Robert Van Pelt, from 1956 to 1964, the University's long-dormant Ph.D. programs were revived, and an aggressive research initiative began.

Between 1964 and the present time, the University has grown into a leading public research university and a key educational partner within the state of Michigan, the nation, and beyond.

Why an Annual Security Report and Fire Safety Report?

Federal Legal Requirements – The Clery Act

Enacted in 1990, The Student Right to Know and the Campus Security Act (pub. L. 101-542) was designed to "...assist students in making decisions which affect their personal safety..." and "...to make sure institutions of higher education provide students, prospective students, and faculty the information they need to avoid becoming the victims of campus crime." The Higher Education Act of 1998 and the subsequent amendment of the implementing regulations (34 C.F.R. 668.46) significantly expanded institutions' obligations under the Act. The Act was also renamed the "Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act" (hereafter the Clery Act). The Jeanne Clery Act requires colleges and universities to:

- Publish an annual report every year by October 1st that contains three years of campus crime statistics and certain campus security policy statements.
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus and certain non-campus facilities. The statistics must be gathered from campus police or security, local law enforcement, and other College officials who have "significant responsibility for student and campus activities".
- Provide "timely warning" notices of those crimes that have occurred and pose an ongoing "threat to students and employees."

- Disclose in a public crime log “any crime that occurred on campus . . . or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department”.
- Disclose in a fire log information about any fires that have occurred in residential facilities and disclose fire safety measures.

The Michigan Tech Department of Public Safety and Police Services

The Michigan Tech Department of Public Safety and Police Services (DPSPS) exists to provide quality police and security service with respect, fairness and compassion to all who visit, study, teach, and work at Michigan Tech. DPSPS officers are fully empowered police officers in the State of Michigan with arrest powers. We are committed to the enhancement of the quality of life by providing a safe and secure campus environment conducive to learning by educating the community on safety and risk avoidance issues, by enforcing all laws of the State of Michigan and regulations of Michigan Tech University, by preventing and detecting crime, and by apprehending and prosecuting violators. This mission is accomplished by continually improving the professional operations of our department, seeking the support of and building partnerships with the entire community, and supporting the mission of the University. With public service as our foundation, we will vigorously investigate and solve problems as well as incidents, seek solutions, and foster a sense of security in our community. The overall attitude and feeling of safety on campus directly affects the atmosphere of individual growth and accomplishment. The extent to which we positively affect this endeavor is the extent to which we succeed in our mission.

We hope you will find this report informative and helpful, and that your time at Michigan Tech will be both pleasant and safe. The statistics contained herein, which include crimes on campus and crimes in adjacent public areas, are collected by the DPSPS and are based on crimes reported directly to DPSPS and information provided by the local police departments.

If you have questions or would like further information about safety and security at Michigan Tech, please visit our website at <http://www.publicsafety.mtu.edu>

The telephone number for police, fire, or ambulance emergency calls on campus is **9-1-1**. The telephone number for routine business, informational, and non-emergency inquiries is: (906) 487-2216.

The department is comprised of 12 command staff and police officers, 5 police dispatchers, 2 locksmiths, and 4 student officers who provide building security services. The Department provides a full range of police services including patrol, traffic enforcement, traffic accident investigation and criminal investigation on a 24 hour per day/7 day per week basis. DPSPS also operates a state-licensed Emergency Medical Services Unit that responds to all medical calls on campus. Additionally, we provide crime prevention services, motorist assistance, safe walk, bicycle registration and weapon registration and storage among other services.

The DPSPS provides security at a variety of events around campus. Our officers are present at football games, hockey games, basketball games, graduation ceremonies, concerts and other special events to provide assistance and emergency services as needed. Incident Action Plans (IAP) are created and used for most special events.

Police Department Training

Each Michigan Tech Police Officer is a graduate of a police academy accredited by the Michigan Commission on Law Enforcement Standards (MCOLES). Officers are licensed law enforcement officers in the State of Michigan. Officers also attend annual training throughout the year to continually maintain and sharpen their skills, in order to ensure that the safest environment possible is created for the students, staff, and faculty of Michigan Tech. In addition to the wide variety of high-quality training classes provided to our officers, the Michigan Tech DPSPS participates in cross training with other law enforcement agencies, such as the Houghton City P.D., Hancock City P.D., Houghton County Sheriff’s Dept. and the Michigan State Police. It is our belief that cooperative training with these agencies will not only foster positive relationships, but in the unlikely event that a major incident should occur on Michigan Tech property, critical key personnel are prepared to respond.

Working Relationships with Other Law Enforcement Agencies

Michigan Tech DPSPS maintains a close working relationship with the Houghton City Police Department and other area law enforcement agencies.

Officers from DPSPS and Houghton City PD frequently respond simultaneously to incidents on and around campus and work together on investigations that require a joint effort. A Memorandum of Understanding between Michigan Tech and the City of Houghton, Houghton County Sheriff's Office and Michigan State Police allows for immediate additional law enforcement assistance in the event of an emergency situation and cooperation in the investigation of criminal incidents.

Reporting Criminal Incidents and Other Emergencies

It is critically important that all crimes occurring on campus or in Michigan Tech owned or leased off-campus buildings and property be immediately reported to the DPSPS to ensure that appropriate action is taken.

Whether it happens to you or you're a witness, don't let reporting a crime or an emergency be an afterthought. Immediately go to a safe place and call. Stay on the line and as accurately as possible, tell the dispatcher exactly what has happened. For each incident reported, an investigation is conducted, and a file is created. Crimes can be reported at any time of day or night seven days a week:

- **In person** - At the Department of Public Safety & Police Services – Widmaier House, 206 MacInnes Dr.
- **By calling - For emergencies whether on-campus or off-campus, dial 9-1-1.**
 - For **non-emergencies**:
 - Public Safety & Police Services, dial 906-487-2216.
 - Houghton City Police Dept., dial 906-487-5912.
 - Hancock City Police Dept., dial 906-482-3102.
 - Houghton County Sheriff Dept., dial 906-482-0055.
 - Michigan State Police, dial 906-337-2211.
- **Tip Line** – You may anonymously report any concerns of unusual behavior or alarming events that you observe on campus via the following methods:
 - Telephone: 906-487-OTIP (0847)
 - On the web: www.mtu.edu/tips
 - Report a Concern: <https://www.mtu.edu/deanofstudents/students/concern/>
 - **REMEMBER** – For emergencies, dial **9-1-1**

For the most accurate reporting of crimes, we encourage all students, faculty, staff, and guests to promptly report criminal incidents, accidents, and other emergencies to the Department of Public Safety & Police Services. Michigan Tech Police receive and investigate reports of all crimes that occur within our jurisdiction.

Campus Emergency Telephones and Automated External Defibrillators (AEDs)

Campus emergency phones are located on poles or attached to buildings and encased in yellow boxes with a **blue light** overhead. Other emergency phones are simple handsets with a **blue light** overhead. To activate the box phones, open the door and push the button inside. To use the handsets, just pick it up to connect directly to the Police Dispatch Center or dial 911. A sign at each phone location will give the appropriate information. In all cases you will be connected directly to a Police Dispatcher. These phones are located at the following locations.

- **Facilities Building (South Entrance)**
- **Daniell Heights (Intersection of Division St. and Woodmar Dr.)**
- **Daniell Heights Shop (In Upper Daniell Heights)**
- **Lot 21 (Pathway to Seventh St. near Clark St.)**
- **Lot 26 (Pathway to U.J. Noblet Forestry Building Driveway near 7th St.)**
- **MacInnes Drive (Near Driveway to Portage Health Clinic)**
- **Minerals and Materials Building (Lot 31 near lower East Entrance)**

- **McNair Hall (East Entrance near Lot 16)**
- **Wadsworth Hall (South – East Entrance)**
- **Wadsworth Hall (Northwest Entrance)**
- **College Avenue south of the Alumni House**
- **Cliff Drive east of Lot 9**
- **Main Campus north of Memorial Union Building**
- **Main Campus north of Fisher Hall**
- **Between Douglass Houghton Hall and Lot 14**
- **Prince’s Point Beach**

Five blue-light phone towers with video cameras were installed through the center of the main campus. These state-of-the-art emergency phones are activated by pressing a button which connects with the Department of Public Safety and Police Services dispatcher. When the button is pressed, the video cameras mounted on top of the tower are activated and viewed in the dispatch center.

Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the university system or the criminal justice system, or if you are a witness to a crime and do not want to reveal your identity, you may make a confidential report of the incident to DPSPS. The purpose of a confidential report is to maintain the reporting individual’s confidentiality, while helping DPSPS protect the safety of the Michigan Tech community. Providing this information also helps the university maintain accurate records regarding the number of incidents involving students, faculty, staff and visitors; determine if there is a pattern of crime regarding a particular location, method, or assailant; and alert the campus community to potential dangers when appropriate. Reports filed in this manner are not excluded from Michigan Tech’s annual crime statistics, and when they involve allegations of sexual harassment or sexual violence, they are made available to the University’s Title IX Coordinator. You can call DPSPS and ask that information remain confidential or use the Tip Line. Confidentiality will be protected to the greatest extent possible but cannot be absolutely guaranteed.

Monitoring and Recording Criminal Activity

The Michigan Tech DPSPS relies on its close working relationships with local law enforcement agencies and Campus Security Authorities to receive information about criminal incidents that students and others may be involved in. DPSPS regularly receives information about criminal activity occurring at off-campus locations of student organizations, including those organizations with off-campus housing facilities. DPSPS will actively investigate any crime information it receives concerning or involving a member of the Michigan Tech campus community. If the University is notified of a situation in which a campus community member is a victim of a crime, even if the crime occurred several blocks or miles away, the department may issue an Emergency Notification or Timely Warning detailing the incident and providing tips so that community members may avoid similar incidents.

Security Considerations in the Maintenance of Campus Facilities

Michigan Tech maintains a strong commitment to campus safety and security. Exterior lighting and facilities upkeep are a critical part of that commitment. Representatives from the DPSPS conduct security surveys to identify areas throughout the campus where lighting appears inadequate or that may require additional facilities upkeep. Department of Public Safety & Police Services personnel assess the physical condition of campus facilities (including landscaping, grounds keeping, and outdoor lighting) on their regular patrols of University property. If lights are discovered to be out or dim, officers report the condition to Facilities Management and initiate a work order. University Police and representatives from Facilities Management also work together to identify inoperative locking mechanisms. All members of the campus community are encouraged to report deficient physical conditions to Facilities Management at 906-487-2303 or by calling the DPSPS directly on the non-emergency number at 906-487-2216.

The DPSPS can contact Facilities Management staff 24/7 to respond to calls for emergency maintenance service regarding unsafe facility conditions or those raising concerns for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment.

During non-business hours, unsafe conditions should be reported to the DPSPS, who will notify the on-call Facilities Management supervisor to arrange for an immediate response if necessary. A Facilities Management representative can usually respond to the site of the emergency request within 30 minutes of the report regardless of the time of day.

Security and Access

During business hours, the University (excluding certain housing facilities) will be open to students, parents, contractors, guests, and invitees. During non-business hours access to all University facilities is by key, if issued, or by admittance via approved card access, or the DPSPS or Residence Education and Housing Services staff. In the case of periods of extended closing, the University will admit only those with approved card access or prior written approval to all facilities.

Michigan Tech strives to give on-campus residents an environment in which they are able to live comfortably and safely. In order to keep our students safe, certain entrances to residence halls are only accessible by individuals who live in that particular hall and therefore have swipe access using their Michigan Tech ID card. For those who need to enter the hall for other reasons, such as visiting a friend or during business hours, the main entrances remain unlocked from 7:00 a.m. until 12:00 a.m. on a daily basis.

All residence hall entrances are monitored by security cameras. Additionally, residence hall staff are on duty around the clock to respond to any requests and notify DPSPS to respond if necessary.

To assist residents, each hall is staffed by live-on professional staff members, residence education coordinators (RECs), and resident assistants (RAs). While the RA is the member of the Housing staff whom students will have the most interaction with, all members of the Housing team are available to ensure a positive residence hall living experience.

During move-in, each student receives a key to his/her residence hall room and mailbox. All residents have keys, and it is advised that they should make use of them to safeguard themselves, their belongings, and University equipment in their possession. In the case of a lost key, the room door lock is replaced to ensure that the occupants and their belongings remain safe.

Guests are allowed to remain after-hours or overnight, but there are policies that must be followed. If the individual is staying overnight, they must be checked in at the reception desk of the hall they are staying in. The guest will also receive a temporary parking pass allowing their vehicle in a Michigan Tech lot. If the guest is not staying overnight, then there is no need to sign in, however, in both cases; the individual must be escorted at all times by the host.

In order to maintain security of facilities, any individual who misplaces an access card should notify Public Safety and Police Services immediately so that the access card can be deactivated. Any lost keys should likewise be reported.

Missing Persons Notification

All students who live in on-campus housing will be provided with the opportunity to identify a contact person or persons whom the Michigan Tech DPSPS will notify within 24 hours if the resident is determined by them to be missing. This information will be registered confidentially through Residence Education and Housing Services, and will only be used in these emergency situations. Registration of missing person contact information may be accomplished by contacting Residence Education and Housing Services at 906-487-2682. This information will remain confidential and will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

If a student has been missing for 24 hours or more, students, or other individuals should make a report to DPSPS at 906-487-2216, the Dean of Students Office at 906-487-2212, or Residence Education and Housing Services at 906-487-2682. The person receiving the report will attempt to gain as much information as possible regarding the reason for concern. This information is as follows:

- What is the relationship of the concerned party to the resident?
- How long has the resident been out of contact with the concerned party?
- Is there reason to believe the resident may be in some type of distress?

- Is there a threat of imminent harm?

If less than 24 hours has elapsed, there are several steps that will be taken in an attempt to contact the missing resident, including:

- Contact DPSPS.
- Perform a visual check of the student’s room and space.
- Attempt to contact the student via cell phone, e-mail, IM, etc.
- Contact known associates
- Utilize University resources. Check for recent activity on the student’s Michigan Tech ID card.

Upon receipt of the Missing Student Report, Residence Education and Housing Services will immediately inform the Michigan Tech DPSPS of this fact.

If a resident has been missing for more than 24 hours or there is a threat of imminent harm or the possibility of foul play and the missing resident cannot be immediately reached, then the Michigan Tech DPSPS should be contacted immediately. The DPSPS will initiate the process of investigation and contact the missing person’s designated emergency contact. The professional staff member initially contacted about the missing resident should notify the residence education coordinator (REC) on-duty and HRL staff member on-call.

By law, in the event that the individual deemed to be missing is under the age of 18 and not emancipated, Michigan Tech must notify a custodial parent or guardian within 24 hours of the declaration of the resident missing as well as any contacts specified by the resident.

Additionally, other local law enforcement agencies will be notified of the student’s status as missing within 24 hours.

Timely Warning Notices & Emergency Notifications

To help prevent crimes or serious incidents, the DPSPS, in conjunction with other departments on campus, from time to time issues alerts to ensure that students, faculty, and staff are made aware of serious crimes and other important events occurring on and near campus in a timely manner. Members of the community who know of a crime or other serious incident should report that incident as soon as possible to DPSPS so that the appropriate type of alert can be issued; if warranted. Alternatively, community members are advised to report crimes or other serious incidents to University administrators. Representatives of these offices will promptly notify and collaborate with University Police to issue an alert; if warranted.

If the Department of Public Safety and Police Services receives information and confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Michigan Tech community, DPSPS and University Marketing and Communication (UMC) will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Michigan Tech community or to the appropriate segment of the community; if the threat is limited to a particular building or segment of the population. DPSPS and UMC will, without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

“Timely Warning Notices” - In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety and Police Services, in consultation with the President, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued to all faculty, staff, and students. Such warnings shall be provided to students in a manner that is timely, that withholds as confidential the names and other identifying information of victims and that will aid in the prevention of similar occurrences.

“Emergency Notifications” - If a situation (serious criminal incident, disaster or catastrophe) arises that, in the judgment of the Director of Public Safety and Police Services, poses a substantial and imminent risk to the campus community, the DPSPS, will issue an Emergency Notification without delay.

Distribution of Timely Warning Notices and Emergency Notifications

The DPSPS issues Timely Warning Notices and Emergency Notifications in a variety of formats through the Safety First Alert service. Students, faculty and staff may sign up for this free service by visiting www.mtu.edu/safetyfirstalert/SIGNUPNOW. The Safety First Alert mass notification system is tested campus-wide twice annually, once at the start of each semester. Timely Warning Notices and Emergency Notifications may be issued through any or all of the following, as appropriate.

- Michigan Tech E-mail
- Voice mail
- Text message to mobile devices
- Michigan Tech Home Web Page
- Campus and Community Media outlets

Depending upon the particular circumstances of the incident, additional flyer notifications may be posted on the doors of residence halls and other campus buildings as appropriate.

If there is an immediate threat to the health or safety of students or others occurring on campus requiring a warning notice, follow-up notices will be provided via the same avenues listed above, as appropriate.

Emergency Preparedness

The University's Incident Command Team is comprised of University staff members and DPSPS command staff, who meet regularly to develop and practice the implementation of emergency plans, including disaster response and evacuation. This multidisciplinary approach is an important part of the University's emergency response and business continuity plans.

This includes both tabletop and full-scale disaster exercises which involve local police, fire, and EMS agencies as well as the University's Incident Command Team. Post-exercise feedback is then analyzed and used by the Incident Command Team in order to refine and improve the emergency response systems and procedures. Tabletop exercises are conducted annually and full-scale disaster exercises are conducted every other year.

Sex Offender Information

Information regarding registered sex offenders can be obtained from the DPSPS or at the Michigan Sex Offender Registry, located at <https://mspsor.com/>

Daily Crime Log

The DPSPS maintains a Daily Crime Log that records, by the date the incident was reported, all crimes and other serious incidents that occur on campus, in a non-campus University owned or controlled building or property, and on public property that is within campus or immediately adjacent to and accessible from campus.

The Daily Crime Log is available for public inspection, at the DPSPS facility at 206 MacInnes Drive. The Daily Crime Log includes the nature, date, time, and general location of each crime reported to us, as well as the disposition of the complaint, if that is known at the time the log is created. The department posts all criminal incidents in the Daily Crime Log within two business days of receiving a report of an incident. We reserve the right to exclude crime report information from the log in certain circumstances.

The names and other identifying information of victims will not be included in the Daily Crime Log.

Crime Prevention Education and Awareness - Preventing Crime through Building Partnerships

While crime prevention is a top priority of the Michigan Tech DPSPS, the department cannot protect everyone, everywhere at all times. Thus, we encourage and invite every member of the community to partner with us in this important effort. Together with other campus offices, the department provides programs to enhance personal safety, teach proactive crime reduction strategies, and help community members develop personal safety habits and self-esteem, which contributes to a healthy community.

The Department's crime prevention strategy rests on a multi-layered foundation of proactive area patrol of campus, crime prevention education and training, building and area security surveys, and property registration. This approach relies on the dual concepts of eliminating or minimizing criminal opportunities, whenever possible, and encouraging community members to take responsibility for their own and others' safety.

Throughout the year, specially trained members of the department are available to assist any individual or group in planning, presenting, and coordinating programs of interest or concern, or conducting safety and security seminars in residence halls, department offices and any other setting both on and off campus. These seminars can be tailored to the needs of the group and arranged by calling the DPSPS at 906-487-2216 or scheduling a presentation through the DPSPS website, <http://www.publicsafety.mtu.edu>. Examples of programs offered to promote awareness, safety and prevention:

Personalized Safety Presentations	Student groups may request presentations on any safety topic of their choice.
Residential Life Monthly Meetings	Residential Officers meet with residence professionals and student staff monthly to conduct training on various safety topics.
Staying Safe at Tech Presentation	Informational meetings are conducted during orientation to provide a variety of safety information.
Resident Assistant Training Program	Residential Officers actively participate in the annual training of Resident Assistants.
Hostile Intruder Response Training	On-site live training for how to respond in the event of a hostile intruder.
De-escalation training	On-site training for how to de-escalate potentially volatile situations.
Self Defense Training	Self Defense classes for all genders presented by certified instructors.
Safe Walk	If a student does not feel safe walking across campus, a police officer or student officer will accompany them to their destination.
Operation I.D.	Students may borrow an engraver from DPSPS to engrave valuable items.
Bicycle Registration	Bicycles must be registered with DPSPS. A sticker will then be issued to attach to the bicycle to make it easier to positively identify if it is stolen.
Alcohol/Drug Awareness Presentations	Presentations are conducted to promote awareness of consequences of alcohol and drug use.

Special Victims Unit

Within the Department of Public Safety and Police Services is a Special Victims Unit (SVU). Our SVU is a team of three officers who receive specialized investigative training in the areas of sexual assaults, intimate partner violence, dating violence, stalking, and child abuse. When an incident is reported to our agency, the SVU uses a survivor-centered investigative process to better serve the special needs of survivors and reduce barriers to reporting. In addition to the enhanced training, the SVU works with various organizations to ensure survivors are treated with compassion and respect while navigating the criminal justice system.

Michigan Tech Emergency Medical Services

Michigan Tech EMS (MTEMS) is a volunteer organization that operates under Michigan Tech's DPSPS. MTEMS was created to assist the local medical responders and improve the emergency medical response times on campus. MTEMS is licensed by the State of Michigan. The group is composed of 32 students, faculty, and staff. All members are State of Michigan and/or nationally certified as Emergency Medical Technicians (EMTs).

MTEMS responds to calls for medical services on campus, 24 hours per day/7 days per week, and is also present at university special events, such as K-Day, sporting events, Winter Carnival, etc. EMS services may be requested by dialing 9-1-1.

More information on the program is available at the following link: <http://www.mtu.edu/publicsafety/services/ems/>

Emergency Guide

An emergency guide offering advice for how to respond to various emergency situations is available at the DPSPS website at the following link, <http://www.mtu.edu/publicsafety/police-services/emergencyguide/>. We encourage everyone on campus to review this material in order to be more prepared in the event of an emergency. Additionally, the emergency guide is linked to the Michigan Tech app for smartphones.

Early Intervention Team

The Early Intervention Team meets weekly and is charged with reviewing and screening potential at-risk students, critical situations, and incidents that occur on campus. The team determines appropriate intervention strategies and outreach efforts. If you are concerned about a student, please contact the Dean of Students Office and the student's name will be referred to the team for a confidential discussion.

Hostile Intruder Response Plan

In today's world, you never know when an active shooter situation could occur. Even though the odds of it occurring on our campus are slim, there is still a chance. What we do to better prepare ourselves and not be passive will increase our chances of surviving this kind of event.

DPSPS offers training that will give you guidance on developing your own plan, mentally preparing for it, and being ready to act on it if a situation like this were to ever occur. The training is roughly 3 hours depending on group sizes consisting of a 45-minute presentation followed with live scenarios, if the work area allows for it.

Contact Lt. Marc Geborkoff at Public Safety Police Services if you have further questions about this training or please fill out the [Active Shooter Training Contact form](#) if you would like to set up a training for your work area.

Please familiarize yourself with the following steps to follow in the event of a Hostile Intruder.

- Protect yourself first. Then get help; call 911.
- Get away as fast as you can. If the intruder is armed and you are in the line of fire, do not run in a straight line. Try to keep objects such as trees, bushes, and vehicles between you and the intruder.
- If you cannot get away, hide in a place that you think the intruder will not notice.
- If you cannot get away or hide and others have been shot, you may save yourself by playing dead.
- If you are caught, you may choose to submit or fight back. If you submit, avert your eyes and obey all commands. Fighting back is very dangerous, but it could be your last option.

Special Conditions—Hostile Intruder(s) Inside a Building

- If you cannot escape safely through an exit, lock yourself and other endangered persons inside a room. Cover any windows or openings with a line of sight into the hallway. If there is a threat from outside, close, latch, and cover the windows with curtains or shades. Block the door with furniture.
- Do not sound a fire alarm. The alarm could draw people into the open, where they could be injured.
- Turn off lights and multimedia equipment and remain silent.
- You may wish to consider escaping through a window.

Special Conditions—Hostile Intruder(s) in a Residence Hall

- When a hostile person(s) is actively causing deadly harm or the imminent threat of deadly harm within the residence hall, we recommend the following procedures be implemented:
 - Lock yourself in your room.
 - If communication is available, dial 911.
 - If away from your room, join others in a room that can be locked.
 - Do not stay in the open hall.
 - Do not sound the fire alarm. A fire alarm would signal the occupants in the rooms to evacuate the building and thus place them in potential harm as they attempted to exit.
 - Barricade yourself in your room with desks, beds, or anything you can push against the door.
 - Lock your windows and close the blinds or curtains.
 - Stay away from the windows.
 - Turn off all lights and multimedia equipment.
 - Try to stay calm and be as quiet as possible
 - If you are caught in the open, such as hallways and lounge areas, you must decide what you are going to do. This is a very crucial time and can possibly mean life or death depending on your actions.
 - You can try to hide, but make sure it is a well-hidden space, or you may be found as the intruder moves through the residence hall looking for more victims.
 - If you think you can safely make it out of the building by running, do so. If you decide to run, do not run in a straight line. Keep any objects you can between you and the hostile person(s) while in the building. Once outside, do not run in a straight line.
 - If the person(s) are causing death or serious physical injury to others and you are unable to run or hide, you may choose to play dead if other victims are around you.
 - If you are caught in an open area in the residence hall, you may choose to fight back. This is dangerous, but depending on your situation, this could be your last option
 - If you are caught by the intruder and are not going to fight back, obey all commands and do not look the intruder in the eyes.
 - Once the police arrive, obey all commands. This may involve your being handcuffed or made to put your hands in the air. This is done for safety reasons, and once circumstances are evaluated by the police, they will give you further directions to follow.

- **Preventing Mass Casualty Shootings Video** – This video was produced by the University of Wisconsin-Madison Police Department. It is intended to help faculty, staff and students understand how to respond in the event of an active shooter incident on campus. The video may be viewed by logging in with your Michigan Tech ISO. <http://www.mtu.edu/publicsafety/crime/shooting/>

Title IX Sexual Harassment Policy and Related Policies for Michigan Technological University

Applicable policies are available here: <https://www.mtu.edu/title-ix/policy/>

University Policy 1.14: Title IX Sexual Harassment Policy

Michigan Technological University does not discriminate in its employment practices or in its educational programs or activities on the basis of sex and gender. Michigan Tech also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internally or externally. Reports of misconduct, questions regarding Title IX, and concerns about noncompliance should be directed to the Title IX Coordinator. For a complete copy of the policy or more information, please contact the Title IX Coordinator or the Assistant Secretary of Education within the Office of Civil Rights (OCR). <https://www.mtu.edu/title-ix/>

Section 1: Introduction

1.1. Policy Statement: Michigan Technological University (Michigan Tech) is committed to creating and maintaining a learning and working environment that is free from unlawful discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in education programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act, Clery Act, and the Violence Against Women Act (VAWA). Sexual Harassment and Retaliation under this Policy will not be tolerated by Michigan Tech and is grounds for disciplinary action, up to and including, permanent dismissal from Michigan Tech and/or termination of employment.

1.2. Michigan Tech takes all reported sexual misconduct and harassment seriously. Michigan Tech will promptly discipline any individuals within its control who are found responsible for violating this Policy. Additionally, reported sexual misconduct, harassment, and retaliation that does not meet the definitions and jurisdiction of this policy will be referred for review under the [Student Code of Community Conduct](#) and [Board of Trustees Policy 5.3](#) in compliance with VAWA and Clery Act.

1.3 Applicability: This Policy applies to students and as follows:

1.3.1. To Students: Where the Respondent is a student at Michigan Tech at the time of the alleged conduct, the alleged conduct includes Sexual Harassment under this Policy, the alleged conduct occurs in Michigan Tech's Education Program and Activity, the alleged conduct occurs against a person in the United States, and the Complainant is participating in or attempting to participate in Michigan Tech's Education Program or Activity.

1.3.2. To Employees: Where the Respondent is an employee at Michigan Tech at the time of the alleged conduct, where the alleged conduct includes Sexual Harassment under this Policy, the alleged conduct occurs in Michigan Tech's Education Program and Activity, the alleged conduct occurs against a person in the United States, and the Complainant is participating in or attempting to participate in Michigan Tech's Education Program or Activity.

1.3.3. Culture of Sexual Harassment or Non-Harassment Title IX Discrimination

Allegations related to a culture of Sexual Harassment or Non-Harassment Title IX Discrimination by a group, organization, department, division, or the University as a whole will be investigated and resolved as closely as possible to this policy. Resolutions for a group, organization, division or the University will be communicated with the highest-ranking member of the group, organization, department, division, or the University.

1.4. Title IX Coordinator and Key Title IX Officials: The Title IX Coordinator is the Michigan Tech administrator who oversees Michigan Tech's compliance with Title IX. The Title IX Coordinator is responsible for administrative response to reports and Formal Complaints of Sexual Harassment. The Title IX Coordinator is available to discuss the grievance process, coordinate supportive measures, explain Michigan Tech policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Deputy Title IX Coordinators to facilitate these responsibilities.

Any member of the Michigan Tech community may contact the Title IX Coordinator with questions. The Title IX Coordinator and Deputy Coordinators' contact information are as follows:

Abbi Halkola
Title IX Coordinator
Administration Building, Room 310
906-487-3310
ashalkol@mtu.edu
titleix@mtu.edu

Beth Lunde-Stockero
Executive Director, Equal Opportunity Compliance and Title IX
Title IX Deputy Coordinator
Equal Opportunity Officer
Administration Building, Room 310
906-487-3310
blunde@mtu.edu

In addition to the Title IX Coordinator, Michigan Tech appoints investigators (2.3.14), decision makers (2.3.5) and informal resolution facilitators (Section 8) who have roles in the formal grievance process.

The Title IX Coordinator, Deputy Title IX Coordinators, investigators, decisionmaker(s), and informal resolution facilitators will receive annual training in compliance with Title IX. All administrators in these roles will not rely on sex and gender stereotypes and will provide impartial investigations and adjudications of Formal Complaints of Sexual Harassment. All materials used to train these administrators will be publicly made available on Michigan Tech's website in accordance with Title IX requirements.

The Title IX Coordinator, Deputy Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

1.5 Notification: Michigan Tech will use University electronic mail (email) for purposes of communication and notification under this Policy.

1.6. Free Speech: Freedom of speech and principles of academic freedom are central to the mission of institutions of higher education. Constitutionally protected expression cannot be considered Sexual Harassment under this Policy.

1.7. Dissemination of Policy: This Policy will be made available to all Michigan Tech administrators, faculty, staff, and students both online and in Michigan Tech student catalog(s) and any employee handbook of operating procedures.

1.8. Effective Date: The effective date of this Policy is August 29, 2022.

1.9. Modification and Review of Policy: Michigan Tech reserves the right to modify this policy to take into account applicable legal requirements. Michigan Tech will regularly review this policy to determine whether modifications should be made.

1.10. Retaliation and False Statements Prohibited: Neither Michigan Tech nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

1.10.1. Alleged violations of Retaliation will be referred to the Office of Academic and Community Conduct for students and Human Resources for employees.

1.10.2. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this Policy.

1.10.3. Charging an individual with a Student Code of Community Conduct violation or Employee Discipline/Discharge provision for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited under this policy, but it may be considered false reporting. However, a determination regarding responsibility alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

1.11. Amnesty: Reporting Sexual Harassment is encouraged at Michigan Tech. Thus, it is imperative that individuals share information when participating in an investigation without fear of potential consequences for minor policy

violations including, but not limited to, underage consumption of alcohol or the use of illicit drugs. Michigan Tech offers parties and witnesses amnesty from such minor violations but may include educational opportunities for individuals in lieu of a finding of responsibility or punitive sanctions.

1.12. Other University Policies: This Policy takes precedence over other University policies and procedures concerning Sexual Harassment under Title IX in the event of a conflict.

1.12.1. Student Code of Community Conduct

<https://www.mtu.edu/conduct/codes-of-conduct/student-conduct/>

1.12.2. Board of Trustees Bylaw and Policies 5.01-5.03

<https://www.mtu.edu/bot/governance/policies/chapter5/sections/5.01-5.05.html#5.3>

1.12.3 General University Policy 1.02

Minors Involved in University-sponsored Programs or Programs Held in University

Facilities - <https://www.mtu.edu/policy/policies/general/1-19/>

1.12.4. General University Policy 1.03 - Consensual Relations

<https://www.mtu.edu/policy/policies/general/1-03/>

1.12.5 Human Resource University Policy 6.06

Employee Code of Conduct - <https://www.mtu.edu/policy/policies/hr/6-05/>

1.13. Additional Violations from Above Policies

Alleged violations of the [Student Code of Community Conduct](#) and/or the [Board of Trustees Policy 5.3](#) that arise from the same events as alleged sexual misconduct under this Policy will be investigated and resolved under the grievance process in this Policy unless the Sexual Harassment has been dismissed under Section 5.2 of this Policy.

1.14. Americans with Disabilities Act (ADA) of 1990 Statement: Michigan Tech is committed to the full inclusion of individuals with disabilities and to the continuous improvement of the accessibility of our campus, programs and activities.

1.14.1. Students: A student requesting any accommodations related to filing a report and/or participating in the grievance process should contact Disability Services as soon as possible so that appropriate arrangements can be made. For more information go to: www.mtu.edu/success/disability/

1.14.2. Employees: An employee requesting any accommodations related to filing a report and/or participating in the grievance process should contact Equal Opportunity Compliance and Title IX as soon as possible so that appropriate arrangements can be made. For more information go to:

<https://www.mtu.edu/equity/access-disability/>

1.14.3. Non-University Witnesses: A non-university witness requesting any accommodations related to their participation in the grievance process should contact Equal Opportunity Compliance and Title IX as soon as possible so that appropriate arrangements can be made. For more information go to:

<https://www.mtu.edu/equity/access-disability/>

2. Section 2: Definitions

2.1. Definitions of Prohibited Conduct Under this Policy

2.1.1. Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

2.1.1.1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;

2.1.1.2. Unwelcome conduct determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity¹; or

2.1.1.3. Sexual Assault, Dating Violence, Domestic Violence or Stalking as defined in this Policy.

2.1.2. Sexual Assault² means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, including Rape, Fondling, Incest, and Statutory Rape as defined in this Policy.

2.1.3. Rape³ means 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.

2.1.4. Fondling⁴ means 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.

¹ A severe, pervasive, and objectively offensive assessment includes, but is not limited to, a consideration of the frequency of the offensive conduct, the nature of the unwelcome sexual acts or words, such as whether the harassment was physical, verbal or both; whether the harassment was merely an offensive utterance; and the number of victims involved and the relationship between the parties including, but not limited to, the ages of the harasser and the victim. In evaluating whether conduct is severe, pervasive, and objectively offensive, Michigan Tech will look at the totality of the circumstances, expectations and relationships.

² See Appendix B

³ Rape as defined in the Uniform Crime Reporting Program (UCR) includes: Forcible Rape: The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances 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.

Sexual Assault with and Object: —To use 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 in instances 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.

⁴ Fondling is referred to as Forcible Fondling in the UCR.

2.1.5. Incest⁵ means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

2.1.6. Statutory Rape⁶ means sexual intercourse with a person who is under the statutory age of consent.

2.1.7. Dating Violence⁷ means violence committed by a person—who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: (a) The length of the relationship, (b) The type of relationship, (c) 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.

2.1.8. Domestic Violence⁸ includes felony or misdemeanor crimes of violence committed by: (1) a current or former spouse or intimate partner of the victim, (2) a person with whom the victim shares a child in common, (3) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (4) a person similarly situated to a spouse of the victim under the domestic or family violence laws of Michigan, or (5) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Michigan.

2.1.9. Stalking⁹ means engaging in a Course of Conduct directed at a specific person that would cause a Reasonable Person to— (1) fear for his or her safety or the safety of others; or (2) suffer Substantial Emotional Distress.

⁵ Incest is a Nonforcible Offense in the UCR. See Appendix B

⁶ Statutory Rape is a Nonforcible Offense in the UCR. See Appendix B

⁷ See Appendix B

⁸ See Appendix B

⁹ See Appendix B

2.2. Definitions Related to Sexual Harassment: Consent, Course of Conduct, Incapacitation, Reasonable Person, Substantive Emotional Distress

2.2.1. Consent is the affirmative, conscious, and voluntary expression to engage in sexual activity through clear words or actions. Consent is ongoing and can be revoked by words or actions at any point during the interaction. When consent is withdrawn or can no longer be given, sexual activity must stop. Consent cannot be given when it is the result of coercion, intimidation, force, or threat of harm.

It is the responsibility of each person to ensure they have consent from the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not, alone, constitute consent

The existence of a dating relationship or past sexual relations between the Complainant and Respondent will never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or dating relationship alone suffice as evidence of consent to prior conduct).

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable. In making this determination, the decisionmaker(s) will consider all of the facts and circumstances the Respondent knew, or by a reasonable person standard, should have known at the time.

In particular, the Respondent's belief is not a valid defense where: (1) The Respondent's belief arose from the Respondent's own intoxication or recklessness; (2) The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented; or (3) The Respondent knew, or by a reasonable person standard should have known at the time, that the Complainant was unable to knowingly and willingly consent because the Complainant was incapacitated, in that the Complainant was: (a) asleep or unconscious, (b) involuntarily restrained, (c) unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication, and/or (d) unable to communicate due to a mental or physical condition.

2.2.2. Course of Conduct means two or more acts, including, but not limited to, acts in which the individual 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.

2.2.3 Crime of Violence refers to prohibited conduct where the respondent uses, or threatens to use violent force against another person. Crimes of violence include crimes committed with and without weapons. Crimes of violence include, but are not limited to: murder, voluntary manslaughter, kidnapping, aggravated assault, forcible sex offenses, robbery, arson, extortion, the use or unlawful possession of a firearm, or explosive material.

2.2.4. Incapacitation means that a person lacks the ability to actively agree to sexual activity because the person is asleep, unconscious, under the influence of alcohol or other drugs such that the person does not have control over their body, is unaware that sexual activity is occurring, or their mental, physical or developmental abilities render them incapable of making rational informed decisions. Incapacitated is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking, using drugs, or taking medication.

A person violates this policy when they engage in sexual activity with another person who is incapacitated and a reasonable person in the same situation would have known that the person is incapacitated. Incapacitation can be voluntary or involuntary. Signs of incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances.

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

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

2.3. Other Defined Terms

2.3.1. Advisor is an individual who supports a Complainant or Respondent through a Title IX process. Parties may have an advisor that may serve in a limited role during the investigation of a Formal Complaint. During the investigation phase of the grievance process, advisors may review the investigation report and attend meetings with their party. Advisors must be provided to parties in a live hearing that adjudicates an allegation of sexual harassment. In the hearing, advisors are responsible for asking questions of other parties or witnesses. In addition to participating in the hearing, the advisor may meet with their complainant or respondent and review the investigative report and any information or evidence gathered to prepare relevant questions for the hearing. Parties may choose their own advisor, which can be a trained Michigan Tech Title IX Advisor or an advisor of their choice not affiliated with Michigan Tech, including but not required to be an attorney.

2.3.2. Business Day means any weekday not designated by Michigan Tech as a holiday or administrative closure day. When calculating a time period of business days specified in this policy, the business day of the event that triggers a time period is excluded.

2.3.3. Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Complainants and respondents are referred to collectively as “parties” throughout this policy.

2.3.4. Confidential Employee means an individual who will not report any information about an incident to the Title IX Coordinator without the complainant’s permission. Counselors in the Center for Student Mental Health and Well-Being, My Student Support Program (My SSP), Director of Student-Athlete Wellness and Clinical Counselor, Michigan Tech Ombuds, and Michigan Tech Assistance Program (EAP) counselors are confidential employees.

2.3.5. Decision Maker(s) Decision makers are responsible for conducting the live Title IX hearing to adjudicate allegations of sexual harassment against students, faculty, or staff and/or reviewing appeals of the hearing or dismissal of a formal complaint. During live hearings, the decision maker(s) is responsible for ensuring that it is conducted in an orderly manner, controls the conduct of all participants and attendees of the hearing, determines relevance of cross-examination questions, and renders a written determination regarding the responsibility of the respondent’s alleged conduct charges in an impartial, neutral, and objective manner. During the hearing, this responsibility may fall to one individual or a panel of individuals. Title IX decision makers must be trained in Title IX regulations and require annual training. Michigan Tech may use an outside independent contractor as a decision maker.

2.3.6. Disciplinary Sanctions are imposed only after a finding of responsibility through the grievance process or an agreement through the informal resolution process.

2.3.7. Education Program or Activity includes locations, events, or circumstances over which Michigan Tech exercises substantial control over both the respondent and the context in which the Sexual Harassment and/or Non-Harassment Title IX Discrimination occurs. This includes conduct that occurs on Michigan Tech property, during any Michigan Tech activity, or in any building owned or controlled by a student organization that is officially recognized by Michigan Tech.

2.3.8. Formal Complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that Michigan Tech investigate the allegation of sexual harassment.

2.3.9. Official with Authority means an individual who has the authority to institute corrective measures and is required to report Sexual Harassment to the Title IX Coordinator. Officials with Authority include: Beth Lunde-Stockero, Title IX Deputy Coordinator, Laura Putwen, Director of Community Conduct, and Dan Carney, Chief Human Resources Officer.

2.3.10. Remedies are designed to restore or preserve equal access to Michigan Tech's Education Program or Activity. Remedies may include, but are not limited to, the same individualized services as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

2.3.11. Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. Complainants and respondents are referred to collectively as "parties" throughout this Policy.

2.3.12. Retaliation Engaging in any adverse action, directly or indirectly, including through someone else, that is intended to coerce, harass, intimidate, threaten, harm, or improperly influence any person because they: 1) make, or intend to make, a report, complaint, grievance, or allegation of prohibited conduct under any University policy or rule, or under any law; 2) participate in or cooperate with any University proceedings such as, but not limited to, a conduct or grievance proceeding; or 3) appear as a witness.

2.3.13. Supportive Measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to Michigan Tech's Education Programs or Activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Michigan Tech's educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Supportive measures must be requested in an appropriate and reasonable time unless documented extenuating circumstances prevent individuals from doing so. Supportive measures must follow University policy, within reason.

2.3.14. Title IX Investigator Formal complaints of sexual harassment under Title IX must be properly investigated. Investigators are neutral and impartial fact-finders who gather evidence regarding an allegation against students, faculty, or staff. It is the investigators responsibility to adhere to prescribed timelines. The investigators are responsible for completing an investigative report at the conclusion of the investigation that fairly summarizes all relevant evidence and information gathered during the investigation. Title IX investigators are required to be trained annually under the regulations.

3. Section 3: Reporting Sexual Harassment and Preservation of Evidence

3.1. Reporting to Michigan Tech

3.1.1. Reporting to Title IX Coordinator: Reports of Sexual Harassment may be made to the Title IX Coordinator in any of the following ways, by anyone, at any time: email, phone, online form, or mail. Reports may be made to the Title IX Coordinator in person at the Title IX Office, Administration Building, Room 310, during normal business hours. After Title IX Sexual Harassment has been reported to the Title IX Coordinator, the Title IX Coordinator will promptly offer supportive measures to the complainant, regardless of whether the complainant was the reporter of the Sexual Harassment.

3.1.2. Reporting to Officials with Authority: The following positions are Officials with Authority: Title IX Coordinator, Deputy Title IX Coordinators, Chief Human Resources Officer, Director of Community

Conduct. If Officials with Authority are notified of Sexual Harassment, they will promptly report such Sexual Harassment to the Title IX Coordinator.

3.1.3. Reporting to Confidential Employees: Counselors of the Center for Student Mental Health and Well-Being, counselors of My Student Support Program (My SSP) Director of Student-Athlete Wellness and Clinical Counselor, Michigan Tech Ombuds, and Michigan Tech Employee Assistance Program (EAP) counselors are confidential employees. Reports made to confidential are considered confidential reports and will not be reported to the Title IX Coordinator without the complainant's permission and will not constitute actual notice to Michigan Tech.

3.1.4. Notification to All Other Michigan Tech Employees¹⁰: All Michigan Tech employees, including faculty and staff, are strongly encouraged to report allegations, unless otherwise noted by their University contract or Campus Security Authorities, of gender discrimination, sexual harassment, sexual assault, dating violence, domestic violence and stalking to the Title IX Coordinator(s) to maximize the institution's ability to investigate and potentially address and eliminate the misconduct.

3.1.5. Anonymous Reporting: Anonymous reports may be made by telephone or online to Michigan Tech's Public Safety and Police Services Tip Line <https://www.mtu.edu/tips/>, or electronically to the Title IX Coordinator https://cm.maxient.com/reportingform.php?MichiganTech&layout_id=15. A decision to remain anonymous, however, may greatly limit Michigan Tech's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating this Policy.

3.2. Reporting to Law Enforcement: Reports may be filed with Michigan Tech Public Safety and Police Services and local law enforcement agencies. The Title IX Coordinator can assist with contacting law enforcement agencies. Law enforcement investigations are separate and distinct from Michigan Tech Title IX investigations.

Michigan Tech Department of Public Safety and Police Services
206 MacInnes Drive, Houghton, MI 49931
906-487-2216 or 911

Houghton City Police Department
616 Shelden Ave, Unit 101, Houghton, MI 49931
906-482-2121 or 911

Houghton County Sheriff
403 East Houghton Avenue, Houghton, MI 49931
906-482-0055 or 911

3.3 Reporting to Outside Agencies: Students and employees may report to external agencies.

3.3.1 Reporting to Outside Agencies for Students:

Office for Civil Rights
U.S. Department of Education
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
216-522-4970

Michigan Department of Health and Human Services
47420 State Hwy M26, Suite 62
Houghton, MI 49931
906-482-0500

3.3.2 Reporting to Outside Agencies for Employees:

U.S. Equal Employment Opportunity Commission
Patrick V. McNamara Building
477 Michigan Avenue, Room 865

Detroit, Michigan 48226
800-669-4000

Michigan Department of Civil Rights
Capitol Tower Building
110 West Michigan Avenue, Suite 800
Lansing, MI 48933
Phone: 517-335-3165
To file a complaint call: 899-482-3604

3.3.3 Outside Agency Confidential Support and Resources:

Dial Help, Inc.
www.dialhelp.org
Call: 800-562-7622 or Text: 906-356-3337

Barbara Kettle Gundlach Shelter
www.bkgshelterhome.org
906-337-5623

Michigan Tech Employee Assistance Program (EAP)
Northstar EAP
906-225-3145
www.northstareap.com
For additional information regarding benefit, visit:
www.mtu.edu/hr/current/benefits/docs/eap-benefits.pdf

Michigan Sexual Assault Hotline
855-864-2374

RAINN National Sexual Assault Hotline
800-656-4673

National Domestic Violence Hotline
800-799-7233

Michigan Department of Health & Human Services
Domestic Violence Helpline, 888-799-7233
Sexual Assault Helpline, 800-656-4673

3.4 Time Limits on Reporting. There are no time limits on reporting Sexual Harassment to the Title IX Coordinator or Michigan Tech. If the respondent is no longer subject to Michigan Tech's Education Program or Activity or significant time has passed, Michigan Tech will have limited ability to investigate, respond and/or provide disciplinary remedies and sanctions.

3.5 Michigan Tech Federal Reporting Obligations: Certain Michigan Tech, called Campus Security Authorities, have a duty to report certain incidents of misconduct to comply with the Clery Act. Campus Security Authorities are not required to report personally identifiable information for Clery Act purposes, but statistical information must be sent regarding the type of incident that occurred and its general location (e.g., on or off-campus) for publication in an annual report of crime statistics, called the Annual Security Report. Statistics published in the Annual Security Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, but the statistics do not personally identify complainants or respondents. Reports by Campus Security Authorities are not official police reports and do not initiate criminal investigations. When Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking are reported under the Clery Act, Michigan Tech must issue timely warnings for such

incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community. Michigan Tech will not disclose a complainant's name and other identifying information in a timely warning but will provide sufficient information for Michigan Tech community members to make informed safety decisions in response to potential danger.

3.6 Preservation of Evidence: Michigan Tech recognizes that a complainant may need time to decide whether to report an incident of Sexual Harassment to the police and/or Michigan Tech. The purpose of this section is to provide complainants with suggestions on preserving evidence while they decide whether to report an incident. Michigan Tech encourages complainants, as soon as possible after experiencing Sexual Assault to take steps to preserve evidence such as: (a) Have a forensic sexual assault nurse examination performed as soon as possible after the incident, but no later than 72-96 hours after the incident. (b) When possible, prior to having a forensic sexual assault nurse examination performed, avoid: changing clothing, bathing, showering, using a douche, using the bathroom, brushing one's teeth, drinking liquids, washing one's hands or face, or combing one's hair; (c) Preserve any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags); (d) Preserve or capture electronic communications such as text messages, e-mails, social media posts or exchanges (e.g., Snapchat, Facebook, Twitter); (e) Preserve or capture video, audio (e.g., voice mail messages), or photographs, including those stored on smartphones or other devices; and (f) Preserve any other physical, documentary, and/or electronic data that might be helpful to an investigator.

4. Section 4: Initial Response to Reported Sexual Harassment: Upon receipt of a report of Sexual Harassment, the Title IX Coordinator will promptly contact the complainant, regardless of whether the complainant was the individual who initiated the report. During the initial contact with the complainant, the Title IX Coordinator will: (1) Provide the complainant with notice of their rights and options. (2) Explain the process for filing a Formal Complaint; (3) Explain the Grievance Process; (4) Discuss the availability of supportive measures regardless of whether a Formal Complaint is filed; (5) Consider the complainant's wishes with respect to supportive measures

5. Section 5: Formal Complaint: Michigan Tech will investigate all allegations of Sexual Harassment in a Formal Complaint.

5.1 Filing a Formal Complaint: A Formal Complaint must: (1) Contain an allegation of Sexual Harassment against a respondent; (2) Request that Michigan Tech investigate the allegation; and (3) Be signed by the Complainant or Title IX Coordinator.

To file a formal complaint: https://cm.maxient.com/reportingform.php?MichiganTech&layout_id=28

In limited circumstances, if a complainant does not sign a Formal Complaint, the Title IX Coordinator may sign a Formal Complaint. In determining whether to sign a Formal Complaint, the Title IX Coordinator will consider factors that include but are not limited to: (a) Whether there have been other reports of Sexual Harassment or other relevant misconduct concerning the same Respondent whether or not the incidents occurred while the Respondent was an Michigan Tech student or employee; (b) Whether the Respondent threatened further Sexual Harassment or other misconduct against the complainant or others; (c) Whether the alleged Sexual Harassment was committed by multiple perpetrators; (d) The nature and scope of the alleged Sexual Harassment including whether the Sexual Harassment was perpetrated with a weapon; (e) The ages and roles of the complainant and the respondent; (f) Whether Michigan Tech can pursue the investigation without the participation of the complainant (e.g., whether there are other available means to obtain relevant evidence of the alleged Sexual Harassment such as security cameras or physical evidence); (g) Whether the report reveals a pattern of perpetration (e.g., perpetration involving illicit use of drugs or alcohol) at a given location or by a particular group.

5.2 Dismissal of a Formal Complaint

5.2.1 Required Dismissal: The Title IX Coordinator will dismiss a Formal Complaint for purposes of Sexual Harassment if: (1) The conduct alleged in the Formal Complaint would not constitute Sexual Harassment as defined in this Policy even if proved; (2) The conduct alleged did not occur in Michigan Tech's Education

Program or Activity; or (3) The Conduct alleged in the Formal Complaint did not occur against a person in the United States.

Dismissal of a Formal Complaint does not preclude action under other provisions of Michigan Tech's policies and procedures. If a Formal Complaint is dismissed under Title IX, the matter will be reviewed to determine whether the matter will be pursued under Michigan Tech's Student Code of Community Conduct, Board of Trustees Policy 5.3 or other Michigan Tech Policies.

5.2.2 Permissive Dismissal: The Title IX Coordinator may dismiss a Formal Complaint or any allegations within the Formal Complaint, if at any time during the investigation or hearing: (1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations within the Formal Complaint, (2) The Respondent is no longer enrolled or employed by Michigan Tech, or (3) Specific circumstances prevent Michigan Tech from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations within the Formal Complaint.

5.2.3 Appeal of Dismissal: Either party may appeal the dismissal of a Formal Complaint or any allegations therein. See Section 7 for bases and process for appeals.

5.3 Consolidation of Formal Complaints: The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent or by more than one Complainant against one or more Respondents where the allegations arise out of the same facts or circumstances.

6. Section 6: Grievance Process The grievance process within this Policy is designed to treat complainants and respondents equitably. Remedies are provided to a complainant where a determination of responsibility for Sexual Harassment has been made against the respondent and Disciplinary Sanctions are not imposed against a respondent prior to the completion of the grievance process.

6.1 General Grievance Process Information

6.1.1 Burden of Proof and Burden of Gathering Evidence: All investigations and proceedings, including hearings, relating to Sexual Harassment will be conducted using a "preponderance of the evidence" (more likely than not) standard. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Michigan Tech, not the parties.

6.1.2 Presumption of Not Responsible: The respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the grievance process.

6.1.3 Time Frames for Grievance Process: Michigan Tech strives to complete the grievance process within one hundred and twenty (120) business days. Temporary delays and/or extensions of the time frames within this policy may occur for good cause. Written notice will be provided to the parties of the delay and/or extension of the time frames with explanation of the reasons for such action. Examples of good cause for delay/extensions include but are not limited to considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

6.1.4 Medical Records: Michigan Tech will not access, consider, disclose, or otherwise use party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless Michigan Tech obtains that party's voluntary, written permission to do so for the grievance process within the Policy.

6.1.5 Privileged Information: Michigan Tech will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

6.1.6 Range of Disciplinary Sanctions and Remedies

6.1.6.1 Student Sanctions. Written Warning, Probation, Suspension, Expulsion

6.1.6.2 Student Remedies. Student remedies may include but are not limited to: education training, change in living location, limited campus access, no contact order, counseling, well-being assessment, loss of privileges, community service.

6.1.6.3 Employee Sanctions. Sanctions may include but are not limited to: informal warning, progressive formal discipline, suspension and/or termination. The decision maker may consult with Michigan Tech Human Resources.

6.1.6.4 Employee Remedies Employee remedies may include but are not limited to: education training, change in supervisor, change in shift and/or job duties, relocation of office, counseling, well-being assessments, no-contact order

6.1.7 Notice of Meetings, Interviews, and Hearings: Parties and witnesses will be provided notice of any meeting, interview, and/or hearing with sufficient time to prepare to participate. This notice will include the date, time, location, participants and purposes of the meeting, interview and/or hearing.

6.2 Notice of Allegations: Upon receipt of a Formal Complaint, the investigator will provide Notice of Allegations to the parties who are known.

The Notice of Allegations will include: (1) Notice of the party's rights and options; (2) Notice of Michigan Tech's grievance process; (3) Notice of Michigan Tech's informal resolution process and options; (4) Notice of the allegations of Sexual Harassment including: (a) the identities of the parties involved in the incident, if known, (b) the conduct allegedly constituting Sexual Harassment, (c) additional alleged Student Code of Community Conduct violations, if any, and (d) the date and location of the incident, if known; (5) Notice that the Respondent is presumed not responsible of the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process; (6) Notice that the parties may have an advisor of their choice, who may be, but is not required to be an attorney, and that the advisor may inspect and review evidence as explained in section 6.3.2 of this policy; (7) Notice of the Michigan Tech Student Code of Community Conduct and the Employee Discipline/Discharge provision that prohibits knowingly making false statements or knowingly submitting false information during the grievance process, (8) Notice of Michigan Tech's Standard of Proof used to determine if a policy violation occurred. (9) Notice of Michigan Tech's retaliation policy.

The Notice of Allegations will be updated and written notice provided to the parties if at any time during the investigation, Michigan Tech decides to investigate allegations about the complainant or respondent that are not included in the initial Notice of Allegations.

6.3 Investigation of Formal Complaint. Michigan Tech will conduct an investigation following a Formal Complaint and Notice of Allegations. During all meetings and interviews the parties may be accompanied by an advisor of their choice, which can be, but is not required to be an attorney. During the investigation stage of the grievance process, the advisor's role is limited to assisting, advising, and/or supporting a complainant or respondent. An advisor is not permitted to speak for or on behalf of a complainant or respondent or appear in lieu of a complainant or respondent during the investigation phase of the grievance process.

6.3.1 Opportunity to Provide Information and Present Witnesses: Each party will be provided an equal opportunity to provide information to the investigator and present witnesses for the investigator to interview. The information provided by the parties can include inculpatory and exculpatory evidence. The witnesses can include both fact witnesses and expert witnesses.

6.3.2 Opportunity to Inspect and Review Evidence: Each party will be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which Michigan Tech does not intend to rely upon in reaching a determination regarding responsibility. This review includes inculpatory and

exculpatory evidence that is obtained by a party, witness, or other source. Each party and their advisor (if any) will be provided an electronic copy of the evidence for inspection and review. The parties will have ten (10) business days to review and submit a written response to the investigator. The investigator will consider the written responses prior to completing an investigative report. All evidence provided during the inspection and review phase will be available at any hearing for the parties to use during the hearing, including for purposes of cross examination.

6.3.3 Investigative Report: Following the opportunity to inspect and review evidence directly related to the allegations raised in the Formal Complaint, the investigator will create an investigative report that fairly summarizes relevant evidence obtained during the investigation.

6.3.4 Review of the Investigative Report: At least ten (10) Business Days prior to a hearing, the investigator will provide each party and the party's advisor (if any) an electronic copy of the investigative report for their review and written response. Written responses will be evaluated for additional information. Investigators will determine if additional investigation is needed or if the written response will be added to the appendix of the final investigative report for decision makers to review.

6.3.5 Investigation Timeframe: The investigation of a Formal Complaint will be concluded within 90 Business Days of the filing of a Formal Complaint. The parties will be provided updates on the progress of the investigation, as needed.

6.4 Live Hearing: After the investigation, Michigan Tech will provide for a live hearing for all Formal Complaints of Sexual Harassment that have not been dismissed per Section 5.2 or resolved by informal resolution under Section 8. At the request of either party, or at the discretion of the Title IX Coordinator, Michigan Tech will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decisionmaker(s) and parties to simultaneously see and hear the other party or witness answering questions.

6.4.1 Information at the Hearing: The following information/evidence will be available in electronic form at the hearing: (1) Evidence from the investigation, including the evidence directly related to the allegations that was reviewed by the parties, regardless of whether it was incorporated into the report. (2) The investigation report and any attachments/appendices.

6.4.2 Decision-maker(s): The decision-maker(s) will be appointed by Michigan Tech and will not be the Title IX Coordinator or investigator. The decision-maker(s) will be trained, impartial, and without a conflict of interest. The decision-maker(s) will be a Michigan Tech employee or external individual designated by Michigan Tech.

6.4.3 Challenge to the decision maker(s): Either party may challenge the appointment of a decision-maker(s), based on conflict of interest or bias, in writing to the Title IX Coordinator, no less than five (5) Business Days prior to the scheduled hearing.

6.4.4 Advisor's Role at the Hearing: Each party must have an advisor present at the hearing. The advisor's role is limited to supporting, advising, and assisting the party during the hearing and conducting questioning (cross-examination) of participants. Advisors are required to follow rules of decorum enforced by the decision-maker(s). Failure to follow the rules of decorum by an advisor may result in removal of an advisor from the hearing. If a party does not have an advisor present at the live hearing, Michigan Tech will appoint the party with an advisor without fee or charge.

6.4.5 Recording of the Hearing: Michigan Tech will create an audio or audiovisual recording of all live hearings and make the recording available to the parties for inspection or review upon request.

6.4.6 Hearing Process Facilitator: Michigan Tech may designate a hearing process facilitator to coordinate the hearing, including, but not limited to, coordination and scheduling of the hearing; the logistics of

physical or virtual rooms for parties and/or witnesses, including separation of the parties; ensuring all technology is working appropriately; ensuring the parties have access to electronic documents during the hearing; distributing materials; etc. The facilitator may also be the Title IX Coordinator. The facilitator may invite the parties and their advisors, separately, to a meeting prior to the hearing to review the hearing process for the purpose of ensuring a smooth hearing. This meeting is separate from the pre-hearing conference discussed below.

6.4.7 Pre-Hearing Matters: In order to streamline the hearing process, the decision-maker(s) may request the submission of questions prior to the hearing through electronic submission and/or a pre-hearing conference.

6.4.7.1 Pre-Hearing Submission of Questions: The decision-maker(s) may request the parties to submit questions in writing prior to the hearing. This submission does not preclude the Advisor from asking additional questions live during the hearing. The decision-maker(s) may allow for the pre-hearing submission of questions regardless of whether a prehearing conference occurs.

6.4.7.2 Pre-Hearing Conference: The decision-maker(s) may hold a pre-hearing conference. During the pre-hearing conference, parties and their Advisors will be asked to submit, in writing, any questions they wish to ask during the live hearing so that the decisionmaker(s) can be prepared to respond to relevancy at the hearing. This conference does not preclude the Advisor from asking additional questions live during the hearing.

At the pre-hearing conference, the decision-maker(s) may also hear arguments regarding the relevance of the evidence identified in the investigation report as relevant or not relevant, and/or directly related to the allegations.

6.4.8 Participants in the Hearing. Participants at the hearing include the decision-maker(s), the investigator(s) who conducted the investigations, the parties, advisors to the parties, witnesses and anyone providing authorized accommodations. In addition, Michigan Tech may have a hearing facilitator present. Any witnesses scheduled to participate in the hearing must have been first interviewed by the investigator(s) or have provided a written statement or answered questions from the investigator in writing. If any party chooses not to attend or fails to attend the hearing, the procedural officer may determine how it is appropriate to move forward with the hearing or reschedule if needed.

6.4.9 Hearing Process and Phases: The live hearing will include the following phases:

6.4.9.1 Notice of Hearing: After the investigative report has been completed and at least ten (10) business days prior to the date set for the hearing, the parties and their Advisors (if any) will be provided with a Notice of the Hearing. The Notice will include the date, time, location, name of the decision-maker(s), names of all participants in the hearing, and the location (virtual or in person) of the hearing.

6.4.9.2 Opening Statements: Each party will have the opportunity to present an opening statement to the decision-maker(s).

6.4.9.3 Questioning of Hearing Participants (Parties and Witnesses):

(1) By the Decision-maker(s): The decision-maker(s) will ask initial questions of the participants at the hearing.

(2) By the Advisors: After the decision-maker(s) asks questions of a participant, each party's advisor will be permitted to ask relevant questions and follow up questions orally, directly, and in real time of the participant. The parties are never permitted to ask questions of participants directly. The questioning of participants by advisors will be conducted in the following manner:

(a) A question is asked by an advisor. (b) Before a participant answers the questions, the decision-maker(s) determines whether the question is relevant. (c)

If the question is determined relevant by the decision-maker(s), the participant answers the question. If the question is determined not to be relevant by the decision-maker(s), the decision-maker(s) must explain the decision to exclude a question as not relevant.

(3) Evidence and Questions Excluded:

(a) Sexual Predisposition or Prior Sexual Behavior of the Complainant:

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, 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.

(b) Privileged Information: No person will be required to disclose information protected under a legally recognized privilege. The decision-maker(s) must not allow into evidence or rely upon any questions or evidence that may require or seek disclosure of such information, unless the person holding the privilege has waived the privilege. This includes information protected by the attorney-client privilege.

(c) Medical Records: Evidence or records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, are not permitted to be used during a hearing unless the party provides voluntary, written permission to do so for the grievance process within this Policy.

(4) Party or Witness Does Not Submit to Cross-examination: If a party or witness declines to submit to cross-examination by an advisor at the live hearing, the decisionmaker(s) will not rely on any statement of that party or witness in reaching a determination regarding responsibility. The decision-maker(s), however, will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

6.4.9.4 Closing Statements: Each party will have the opportunity to present a closing statement to the decision-maker(s).

6.4.10 Determination Regarding Responsibility:

After five (5) business days of the live hearing, the decision-maker(s) will issue a written determination regarding responsibility using the preponderance of the evidence standard to the Title IX Coordinator. The Title IX Coordinator will provide the complainant and the respondent with the written determination simultaneously. The determination regarding responsibility becomes final either on the date that Michigan Tech provides the parties with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The written notice will include:

(1) Identification of the allegations potentially constituting Sexual Harassment. (2) Standard of proof (3) A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held. (4) Findings of fact supporting the determination. (5) Conclusions regarding the application of this Policy to the facts. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility. (6) Any disciplinary sanctions that Michigan Tech imposes on the respondent, and whether remedies designed to restore or preserve equal access to

Michigan Tech's education program or activity will be provided by Michigan Tech to the complainant. (7) The procedures and permissible bases for the complainant and respondent to appeal. (8) Notice of Michigan Tech's retaliation policy.

7. Section 7: Appeals

Either party may appeal the determination regarding responsibility, or the dismissal of a Formal Complaint or any allegations therein within three (3) Business Days of the receipt of the determination regarding responsibility or dismissal. The appeals must be made in writing and delivered to the Title IX Coordinator.

7.1 Bases for Appeal: Appeals of the determination of responsibility or the dismissal of a Formal Complaint may be made on the following bases:

- (a) Procedural irregularity that affected the outcome of the matter;
- (b) 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.
- (c) The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- (d) Severity of Sanction and remedy appeals will be considered on the "severity of sanction and remedies" by the explanation of why the sanction and remedies should be reconsidered. The appeal must show that the degree of the outcome leveled was not within the exercise of good faith discretion by the University, and therefore should result in a stated lesser or greater sanction. Employee cases cannot be appealed on this grounds.

7.2 Appeal Procedures: If an appeal is submitted, Michigan Tech will:

- (1) Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.
- (2) Ensure that the decision-maker(s) for the appeal is not the same person as the decisionmaker(s) that reached the determination regarding responsibility or dismissal, the investigator or the Title IX Coordinator.
- (3) Provide the non-appealing party with five (5) Business Days from receipt of the notification of appeal to submit a written statement in support of the outcome of the determination or dismissal.
- (4) Issue a written decision describing the result of the appeal and the rationale for the result which can be one of the following: (a) Affirm the decision-maker's determination regarding the respondent's responsibility and affirm the disciplinary sanctions and remedies, if applicable; (b) Affirm the decision-maker's determination regarding the respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable; (c) Remand the process back to the hearing stage for the decision-maker to remedy any procedural irregularity or consider any new evidence; (d) Reverse the decision-maker's determination of the respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable; or (e) Affirm or amend the sanctions and/or remedies outlined in the determination issued under this Policy.
- (5) Provide the written decision simultaneously to both parties.

7.3 Appeal Timeframe: The appellate decision-maker(s) will release the written decision within ten (10) Business Days of receiving the appeal.

Section 8: Informal Resolution Process. At any time after a Formal Complaint has been signed and before a determination regarding responsibility has been reached, the parties may voluntarily agree to participate in an informal resolution facilitated by Michigan Tech, that does not involve a full investigation and adjudication. Types of informal resolution include, but are not limited to, mediation, facilitated dialogue, conflict coaching, and restorative justice and resolution by agreement of the parties.

8.1 Informal Resolution Notice: Prior to entering the informal resolution process, Michigan Tech will provide the parties a written notice disclosing: (1) The allegations; (2) The requirements of the informal resolution process, including the right of any party to withdraw from the informal resolution process and resume the grievance process and the circumstances which preclude parties from resuming a Formal Complaint arising from the same allegations;

(3) Consequences resulting from the informal resolution process, including that the records will be maintained for a period of seven (7) years but will not be used by investigators or decision-makers if the formal grievance process resumes.

8.2 Informal Resolution Agreement: Prior to entering the informal resolution process, the parties must voluntarily agree, in writing, to the use of the informal resolution process.

8.3 Informal Resolution Availability: The informal resolution process is not permitted to resolve allegations that an employee committed Sexual Harassment against a student.

8.4 Informal Resolution Timeframe: Informal resolutions of a Formal Complaint will be concluded within 45 days of notice to Michigan Tech that both parties wish to proceed with the informal resolution process. Such notice that the parties wish to proceed with an informal resolution process will “pause” the counting of the timeframe to conclude the Grievance Process of this Policy, should the informal resolution process fail, and the parties continue with the Grievance Process.

8.5 Informal Resolution Documentation. Any final resolution pursuant to the Informal Resolution process will be documented and kept for seven (7) years. However, no recording of the informal resolution process will be made, and all statements made during the informal resolution process will not be used for or against either party (and the decision-maker(s) and/or appellate decision-maker(s) may not consider any such statement made during informal resolution) should the parties resume the grievance process. Failure to comply with an informal resolution agreement may result in disciplinary action.

Section 9: Procedures for the Resolution of Non-Harassment Title IX Discrimination Complaints

9.1 Applicability: The procedures in this section shall be used to investigate and resolve reported Title IX matters that allege discrimination that falls outside of the Sexual Harassment Policy (“Non-Harassment Title IX Discrimination”). These procedures shall be used in conjunction with the Sexual Harassment Policy for purposes of identification of key Title IX officials (Section 1.4) definitions (Section 2.0) and reporting options (Section 3.0)

Discrimination prohibited under this policy includes: the exclusion from participation in, denial of the benefits from, or subjection to unfavorable treatment in any University Education Program or Activity on the basis of sex, including sexual orientation or gender identity.

9.2 Advisors: Complainants and Respondents may be accompanied by an advisor of their choice throughout the investigation. An advisor’s role is limited to assisting, advising, and/ or supporting a Complainant or Respondent. An advisor is not permitted to speak for or on behalf of a Complainant or Respondent or appear in lieu of a Complainant or Respondent.

9.3 Investigation Procedures: If the allegations fall within the scope of this policy and the matter does not resolve using the informal resolution process, the University will conduct a prompt, thorough, and impartial investigation of the reported discrimination. The Title IX Coordinator or their designee will appoint one or more investigators who will conduct investigative meetings, gather information and evidence, and make an independent determination as to whether a violation of the policy occurred using a preponderance of the evidence standard. The Respondent is presumed not responsible until a determination has been reached by the investigator.

9.3.1 Notice of Allegations: A written Notice of Allegations will be sent to the Complainant and Respondent, constituting the initiation of the investigation. The Notice of Allegations will contain a summary of the allegation(s) or conduct at issue. This will include the identities of the parties involved, the date and location of the incident (if known), and a link to the appropriate policies. Once the Notice of Allegations has been sent to the parties, the investigation begins.

9.3.2 Investigation Process: The Complainant and Respondent will have an equal opportunity to be heard, identify witnesses, and provide information and evidence. The investigator will gather additional information and evidence as appropriate, including, but not limited to, social media information, text messages, email messages, videos, and other records. The investigator has the discretion to determine the

relevance of information and witnesses and decide whether information or evidence should be excluded as irrelevant. After parties meet with the investigator, each party will receive a copy of the notes from their meeting and be provided an opportunity to review and comment.

9.3.3 Investigation Timeline: The University strives to complete the investigation within sixty (60) business days from the issuance of the Notice of Allegations. All extensions of this time frame will be communicated with the parties in writing.

9.3.4 Investigative Report & Findings Letter: At the conclusion of the investigation, the investigator will draft an investigative report. A representative from Equal Opportunity Compliance and Title IX will review the written report to determine if there is a violation of University Policy based upon a “preponderance of evidence” standard. Simultaneous notification of the finding will be provided to both the Complainant and Respondent.

9.3.5 Sanction: If the Responding Party is found responsible, sanction determinations will be made in collaboration with the Chief Human Resources Officer and the Responding Party’s supervisor or appropriate designee if the Respondent is an employee, or the Director of Community Conduct if the Respondent is a student. If the Responding Party is found not responsible or there is no finding, no sanctions will be imposed. See section 6.1.6 for sanction information.

9.4 Appeal: The Complainant or Respondent may appeal the decision of the investigator based only on the following grounds: (a) The existence of a procedural irregularity that materially affected the outcome; (b) The existence of new evidence that was not reasonably available at the time the determination regarding responsibility that could have affected the outcome; (c) The Title IX Coordinator and/or investigator(s) had a conflict of interest or bias that affected the outcome; (d) Severity of Sanction and remedy appeals will be considered on the “severity of sanction and remedies” by the explanation of why the sanction and remedies should be reconsidered. The appeal must show that the degree of the outcome leveled was not within the exercise of good faith discretion by the University, and therefore should result in a stated lesser or greater sanction. Employee cases cannot be appealed on these grounds.

Appeals must be made in writing and submitted to the Title IX Coordinator (titleix@mtu.edu) within ten (10) business days of the receipt of the final decision. The appellate decision maker will notify the other non-appealing party of the appeal and allow for written response from the non-appealing party. A determination regarding the appeal will be made by the appellate decision maker within thirty (30) calendar days.

9.5 Acceptance of Responsibility: The Respondent may, at any time, request to resolve the investigation process or resolve specific allegation(s) by accepting responsibility for the alleged misconduct. The Title IX Coordinator will complete a summary report of the information gathered. The Title IX Coordinator will consider the request. If the request is granted, a determination of the appropriate sanction will be made in collaboration with the Chief Human Resources Officer and the Responding Party’s supervisor or appropriate designee, if the Respondent is an employee, or the Director of Community Conduct if the Respondent is a student.

9.6 Informal Resolution: The Complainant and Respondent may agree to Informal Resolution at any time prior to a determination regarding responsibility if the Title IX Coordinator deems the matter appropriate for Informal Resolution.¹³ The Title IX Coordinator will consider the following when determining whether to permit a matter to move to Informal Resolution: (a) The nature of the allegations; (b) The dynamics of power or control associated with the alleged offense or the parties involved; (c) The Respondent’s prior known conduct; (d) Whether there would be a continuing safety threat to the University community after resolution of allegations; (e) Whether multiple parties are involved; (f) Any other factor deemed relevant by the Title IX Coordinator in the interest of overall University safety or safety of the parties involved.

Participation in Informal Resolution is a choice, and either party can request to end Informal Resolution process and pursue an investigation at any time, including if Informal Resolution is unsuccessful at resolving the matter.

Similarly, either party can request to end an investigation and pursue Informal Resolution at any time, though entering Informal Resolution must be agreed to in writing by the parties.

If an agreement is reached through Informal Resolution, the parties will be provided simultaneously with a Notice of Outcome. An appeal of the Informal Resolution process or result is not permitted. The Title IX Coordinator may, at any time, withdraw approval for the Informal Resolution and return the matter to investigation.

9.7 Retaliation: Retaliation is prohibited. See section 1.10 Retaliation and False Statements Prohibited, for more information.

9.8 Intersection of Policies: The procedures in this policy are the exclusive means of resolving complaints of alleged violations of Title IX involving complaints of Non-Harassment Title IX Discrimination brought against University faculty, staff, or students. To the extent there are any inconsistencies between these procedures and other University grievance, complaint, or discipline procedures, these complaint resolution procedures will control the resolution of complaints alleging Non-Harassment Title IX Discrimination.

Section 10: Emergency Removal and Administrative Leave.

10.1 Emergency Removal: At any time after the Title IX Coordinator is on notice of Sexual Harassment, Michigan Tech may remove a respondent on an emergency basis.

Michigan Tech will only conduct an emergency removal after: (1) Undertaking an individualized safety and risk analysis, (2) Determining that an immediate threat the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, and (3) Providing the Respondent with notice and an opportunity to challenge the decision to the Title IX Coordinator, within two (2) Business Days following the removal.

10.2 Administrative Leave: Michigan Tech may place a non-student employee respondent on administrative leave during the pendency of the grievance process in this Policy.

Section 11: Recordkeeping: Michigan Tech will maintain all of the documentation related to reports of Sexual Harassment, Formal Complaints, the grievance process, and information resolution process for seven years in accordance with state and federal records laws and requirements. The documentation of all records is private and confidential to the extent possible under law. Student records of the grievance process are disciplinary records under Family Education Rights and Privacy Act (FERPA). Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and applicable state laws, and included in the employee's official employment record.

Section 12: Additional Conduct Violations Related to This Policy: Alleged violations of the terms in this section will be sent to the Office of Academic and Community Conduct for student respondents or Human Resources for employee respondents for investigation and adjudication. Alleged violations include: (a) Retaliation, (b) False Reporting, (c) Interference with Grievance Process (Disruptive Behavior), (d) No Contact Directive Violations.

Section 13: THE STATE SCHOOL AID ACT OF 1979 (EXCERPT) Act 94 of 1979

388.1865b Reduction of operations funding; failure to submit title IX certification for sexual assault training.

Appendix A

Reporting Expectations and Requirements for All Michigan Tech Faculty and Staff

All Michigan Tech, including faculty and staff, are strongly encouraged to report allegations of gender discrimination, sexual harassment, sexual assault, dating violence, domestic violence and stalking to the Title IX Coordinator(s) to maximize the institution's ability to investigate and potentially address and eliminate the misconduct. The employee should NOT attempt to determine if the harassment or violence actually did occur, or if a hostile environment is being created.

The information that should be reported includes all the relevant information that the individual has shared and that may be useful in the investigation. This includes names of the alleged respondent, the student/employee who experienced the alleged harassment/violence, any other student/employee involved, and the date, time, and location of the alleged incident.

should explain to the student/employee that they are not a confidential resource before a student/employee reveals something that they may want to keep confidential. If a person begins talking about the incident(s) with no warning, interrupt immediately (but nicely) and inform them that the conversation cannot be considered confidential. Assure them that you want to be supportive, but if they do not want the incident(s) to potentially be reported then they should make an appointment with a confidential resource. In emergency situations, where a person's health or safety is in immediate danger, call 911

A report to the Title IX Coordinator does not necessarily lead to a full investigation. Any action is typically determined based on the complainant's choices. However, the Title IX Coordinator will make a safety assessment to determine if there is a safety risk to the community. If it is likely that there is continued risk, the Title IX Coordinator may have to proceed without the complainant's consent.

Students with Reporting Requirements

There are some students on campus who are expected to report incidents of gender discrimination, sexual harassment, sexual assault, dating violence, domestic violence and stalking. Supervisors will provide additional information on the specific reporting requirements and protocol. Students who may be expected to report include, but are not limited to, resident assistants (RAs), orientation team leaders (OTLs), graduate teaching assistants (GTA), graduate teaching instructors (GTI), and athletics graduate assistants.

Appendix B
Michigan Compiled Laws (MCL)

DOMESTIC AND SEXUAL VIOLENCE (EXCERPT)
Act 389 of 1978

400.1501 Definitions.

Sec. 1. As used in this act:

(1) "Board" means the Michigan domestic and sexual violence prevention and treatment board created under Executive Order No. 2012-17.

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

(3) "Department" means the department of health and human services.

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

(1) Causing or attempting to cause physical or mental harm to a family or household member.

(2) Placing a family or household member in fear of physical or mental harm.

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

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

(e) "Family or household member" includes any of the following:

(1) A spouse or former spouse.

(2) An individual with whom the person resides or has resided.

(3) An individual with whom the person has or has had a dating relationship.

(4) An individual with whom the person is or has engaged in a sexual relationship.

(5) An individual to whom the person is related or was formerly related by marriage.

(6) An individual with whom the person has a child in common.

(7) The minor child of an individual described in subparagraphs (i) to (vi).

i) "Fund" means the domestic violence prevention and treatment fund created in section 5.

ii) "Prime sponsor" means a county, city, village, or township of this state, or a combination thereof, or a private, nonprofit association or organization.

History: 1978, Act 389, Eff. Oct. 1, 1978;—Am. 2000, Act 84, Eff. July 1, 2000;—Am. 2018, Act 281, Eff. Sept. 27, 2018.

Popular name: Domestic Violence Prevention and Treatment Act

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.145e Dissemination of sexually explicit visual material of another person; prohibition; exceptions; other violations of law; violation; penalty; definitions.

Sec. 145e. (1) A person shall not intentionally and with the intent to threaten, coerce, or intimidate disseminate any sexually explicit visual material of another person if all of the following conditions apply:

a) The other person is not less than 18 years of age.

b) The other person is identifiable from the sexually explicit visual material itself or information displayed in connection with the sexually explicit visual material. This subdivision does not apply if the identifying information is supplied by a person other than the disseminator.

c) The person obtains the sexually explicit visual material of the other person under circumstances in which a reasonable person would know or understand that the sexually explicit visual material was to remain private.

d) The person knows or reasonably should know that the other person did not consent to the dissemination of the sexually explicit visual material.

- (2) Subsection (1) does not apply to any of the following:
- a) To the extent content is provided by another person, a person engaged in providing:
 - (i) An interactive computer service as that term is defined in 47 USC 230;
 - (ii) An information service, telecommunications service, or cable service as those terms are defined in 47 USC 153;
 - (iii) A commercial mobile service as defined in 47 USC 332;
 - (iv) A direct-to-home satellite service as defined in 47 USC 303(v); or
 - (v) A video service as defined in 2006 PA 480, MCL 484.3301 to 484.3315.
 - (b) A person who disseminates sexually explicit visual material that is part of a news report or commentary or an artistic or expressive work, such as a performance, work of art, literary work, theatrical work, musical work, motion picture, film, or audiovisual work.
 - (c) A law enforcement officer, or a corrections officer or guard in a correctional facility or jail, who is engaged in the official performance of his or her duties.
 - (d) A person disseminating sexually explicit visual material in the reporting of a crime.
 - i) This section does not prohibit a person from being charged with, convicted of, or punished for another violation of law committed by that person while violating or attempting to violate this section.
 - ii) A person who violates subsection (1) is guilty of a crime and punishable as provided in section 145f.
 - iii) As used in this section:
 - (a) "Disseminate" means post, distribute, or publish on a computer device, computer network, website, or other electronic device or medium of communication.
 - (b) "Nudity" means displaying a person's genitalia or anus or, if the person is a female, her nipples or areola.
 - (c) "Sexually explicit visual material" means a photograph or video that depicts nudity, erotic fondling, sexual intercourse, or sadomasochistic abuse.

History: Add. 2016, Act 89, Eff. July 25, 2016.

Rendered

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

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

Sec. 520b. (1) A person is guilty of criminal sexual conduct in the first degree if he or she engages in sexual penetration with another person and if any of the following circumstances exists:

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

History: Add. 1974, Act 266, Eff. Apr. 1, 1975;—Am. 1983, Act 158, Eff. Mar. 29, 1984;—Am. 2002, Act 714, Eff. Apr. 1, 2003;—Am. 2006, Act 165, Eff. Aug. 28, 2006;—Am. 2006, Act 169, Eff. Aug. 28, 2006;—Am. 2007, Act 163, Eff. July 1, 2008;—Am. 2012, Act 372, Eff. Apr. 1, 2013;—Am. 2014, Act 23, Imd. Eff. Mar. 4, 2014.

Constitutionality: The provision in the criminal sexual conduct statute which permits elevation of a criminal sexual conduct offense from a lesser to a higher degree on the basis of proof of personal injury to the victim in the form of mental anguish is not unconstitutionally vague. *People v Petrella*, 424 Mich 221; 380 NW2d 11 (1985).

Compiler's note: Section 2 of Act 266 of 1974 provides:

“Saving clause.

“All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or begun before the effective date of this amendatory act.”

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

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

Sec. 520c. (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.

History: Add. 1974, Act 266, Eff. Apr. 1, 1975;—Am. 1983, Act 158, Eff. Mar. 29, 1984;—Am. 2000, Act 227, Eff. Oct. 1, 2000;—Am. 2002, Act 714, Eff. Apr. 1, 2003;—Am. 2006, Act 171, Eff. Aug. 28, 2006;—Am. 2007, Act 163, Eff. July 1, 2008;—Am. 2012, Act 372, Eff. Apr. 1, 2013.

Compiler's note: Section 2 of Act 266 of 1974 provides:

“Saving clause.

“All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or begun before the effective date of this amendatory act.”

Rendered

THE MICHIGAN PENAL CODE (EXCERPT) **Act 328 of 1931**

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

Sec. 520d. (1) A person is guilty of criminal sexual conduct in the third degree if the person engages in sexual penetration with another person and if any of the following circumstances exist:

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

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

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

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

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

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

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

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

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

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

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

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

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

History: Add. 1974, Act 266, Eff. Apr. 1, 1975;—Am. 1983, Act 158, Eff. Mar. 29, 1984;—Am. 1996, Act 155, Eff. June 1, 1996;—Am. 2002, Act 714, Eff. Apr. 1, 2003;—Am. 2007, Act 163, Eff. July 1, 2008;—Am. 2012, Act 372, Eff. Apr. 1, 2013.

Compiler's note: Section 2 of Act 266 of 1974 provides:

"Saving clause.

"All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or begun before the effective date of this amendatory act."

THE MICHIGAN PENAL CODE (EXCERPT) Act 328 of 1931

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

Sec. 520e. (1) A person is guilty of criminal sexual conduct in the fourth degree if he or she engages in sexual contact with another person and if any of the following circumstances exist:

- a) That other person is at least 13 years of age but less than 16 years of age, and the actor is 5 or more years older than that other person.
- b) Force or coercion is used to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the following circumstances:
 - i) When the actor overcomes the victim through the actual application of physical force or physical violence.
 - ii) When the actor coerces the victim to submit by threatening to use force or violence on the victim, and the victim believes that the actor has the present ability to execute that threat.
 - 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.

History: Add. 1974, Act 266, Eff. Apr. 1, 1975;□Am. 1983, Act 158, Eff. Mar. 29, 1984;□Am. 1988, Act 86, Eff. June 1, 1988;□Am. 1994, Act 213, Eff. Oct. 1, 1994;□Am. 1996, Act 155, Eff. June 1, 1996;□Am. 2000, Act 227, Eff. Oct. 1, 2000;□Am. 2000, Act 505, Eff. Mar. 28, 2001;□Am. 2002, Act 714, Eff. Apr. 1, 2003;□Am. 2007, Act 163, Eff. July 1, 2008;□Am. 2012, Act 372, Eff. Apr.

1, 2013.

Compiler's note: Section 2 of Act 266 of 1974 provides:

“Saving clause.

“All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or begun before the effective date of this amendatory act.”

THE MICHIGAN PENAL CODE (EXCERPT) Act 328 of 1931

750.81 Assault or assault and battery; penalties; previous convictions; exception; “dating relationship” defined.

Sec. 81. (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), (4), or (5), 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 assaults or assaults and batters an individual who is pregnant and who knows the individual is pregnant 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.

(4) An individual who commits an assault or an assault and battery in violation of subsection (2) or (3), and who has previously been convicted of assaulting or assaulting and battering an individual described in either subsection (2) or subsection (3) under any of the following, is guilty of a misdemeanor punishable 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.

(5) An individual who commits an assault or an assault and battery in violation of subsection (2) or (3), and who has 2 or more previous convictions for assaulting or assaulting and battering an individual described in either subsection (2) or subsection (3) 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.

(6) 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.

(7) 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.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 75081;—Am. 1994, Act 64, Eff. July 1, 1994;—Am. 1999, Act 270, Eff. July 1, 2000;—Am. 2000, Act 462, Imd. Eff. Jan. 10, 2001;—Am. 2001, Act 189, Eff. Apr. 1, 2002;—Am. 2001, Act 190, Eff. Apr. 1, 2002;—Am. 2012, Act 366, Eff. Apr. 1, 2013;—Am. 2016, Act 87, Eff. July 25, 2016.

Former law: See section 29 of Ch. 153 of R.S. 1846, being CL 1857, § 5739; CL 1871, § 7538; How., § 9103; CL 1897, § 11498; CL 1915, § 15220; CL 1929, § 16736; Act 167 of 1879; and Act 54 of 1929.

Good Samaritan Provision: Intent Regarding Medical Emergency

Student welfare is the University's primary concern. The Good Samaritan Provision is intended to encourage students to seek swift medical assistance for themselves and others without fear of penalty. Students are urged to not only to take care of their own well-being, but to behave in an equally responsible way with their peers.

There may be times when safety concerns arise from a student's excessive drinking or drug use, and in these situations, students should not hesitate to seek help from the Residence Education and Housing Services staff, Public Safety and Police Services, medical or counseling professionals, and/or off-campus police out of fear of student conduct action. Under this Good Samaritan Policy, neither the student in distress nor the student or organization seeking assistance will ordinarily be subject to student conduct action for the possession, provision, or consumption of drugs or alcohol.

This policy refers to isolated incidents only, and does not excuse or protect those who flagrantly or repeatedly violate [the Abuse of Alcohol and Other Drugs by Students and Student Organizations Policy](#), nor does it preclude disciplinary action arising from violations of other University policies. However, in cases involving additional policy violations, the University will consider the positive impact of reporting an incident as well as the health and safety needs of the involved student(s) when determining the appropriate course of action. This statement of intent applies only to administrative enforcement of the Code and does not provide immunity/amnesty from arrest or criminal prosecution.

Bystander Intervention and Risk Reduction

In an effort to reduce the risk of sexual and/or relationship misconduct among its students, Michigan Tech utilizes a range of campaigns, strategies, and initiatives to promote awareness, education, risk reduction, and prevention programming.

Bystander engagement is highly encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, identifying allies, and/or creating distractions.

Steps You Can Take to Prevent Sexual Assault/Violence

- Everyone has a role to play in preventing sexual assault/violence. There are many different ways that you can step in or make a difference if you see someone at risk. This approach to preventing sexual assault/violence is referred to as "bystander intervention."

How can I play a role in preventing sexual assault/violence?

- The key to keeping your friends safe is learning how to intervene in a way that fits the situation and your comfort level. Having this knowledge on hand can give you the confidence to step in when something isn't right. Stepping in can make all the difference, but it should never put your own safety at risk.

A good friend knows how to CARE.

- Create a distraction
- Ask directly
- Refer to an authority
- Enlist others

Create a distraction.

Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place.

- Cut off the conversation with a diversion like, "Let's get pizza, I'm starving," or "This party is lame. Let's try somewhere else."
- Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about.
- Start an activity that draws other people in, like a game, a debate, or a dance party

Ask directly.

- Talk directly to the person who might be in trouble.
- Ask questions like "Who did you come here with?" or "Would you like me to stay with you?"

Refer to an authority.

- Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, like an RA or security guard.
- Talk to a security guard, bartender, or another employee about your concerns. It's in their best interest to ensure that their patrons are safe, and they will usually be willing to step in.
- Don't hesitate to call 911 if you are concerned for someone else's safety.

Enlist others.

It can be intimidating to approach a situation alone. Enlist another person to support you.

- Ask someone to come with you to approach the person at risk. When it comes to expressing concern, sometimes there is power in numbers.
- Ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort them to the bathroom.
- Enlist the friend of the person you're concerned about "Your friend looks like they've had a lot to drink. Can you check on them?"

Your actions matter.

Whether or not you were able to change the outcome, by stepping in you are helping to change the way people think about their role in preventing sexual assault/violence. If you suspect that someone you know has been sexually assaulted, there are steps you can take to support that person.

- Help Someone You Care About
- How to Respond to a Survivor

To speak with someone who is trained to help, call the National Sexual Assault Hotline at 800-656-HOPE (4673) or chat online at online.rainn.org.

Source: Rape Abuse & Incest National Network ([RAINN](https://www.rainn.org))

Risk Reduction

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions

may nevertheless help you to reduce your risk experiencing a non-consensual sexual act. Here are suggestions to avoid committing a non-consensual sexual act are also offered:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity, then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

In a Social Situation

While you can never completely protect yourself from sexual assault/violence, there are some things you can do to help reduce your risk of being assaulted in social situations.

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.

Educational Programs Related to Sexual Misconduct

In an effort to reduce the risk of sexual harassment as well as the crimes of rape, sexual assault, stalking, dating violence, and domestic violence occurring among students and, Michigan Tech utilizes a range of campaigns, strategies, and initiatives to promote awareness, education, risk reduction, and prevention programming. Programs and other campaigns offered throughout the year include strong messages regarding not just awareness, but also

primary prevention, bystander intervention, and discussions concerning institutional policies on sexual misconduct and sex/gender discrimination. Programs also offer information on risk reduction that strives to empower victims, recognize warning signals, avoid potential attacks, and do so without victim-blaming approaches. In addition, the University Title IX Awareness Committee is an advisory group and task force comprised of campus and community partners designed to guide sexual violence education in compliance with federal and state regulations for our University community. An overview of this education and programming is included here.

Date	Training Type	Title	Audience
1/8/2023	training provided to campus	Mid-year orientation: TIX presentation	Employees, Students
1/18/2023	training provided to campus	University Learning Centers Baseline Training - TIX	Students
1/19/2023	webinar/training	ICS: Higher Ed 2022 Year End Review	Employees
1/25/2023	webinar/training	Pathways; Addressing the Suicidal Individual	Employees
1/26/2023	webinar/training	WTF is a Healthy Relationship	Employees
1/27/2023	webinar/training	Intimate Partner Violence Awareness	Employees
1/31/2023	training provided to campus	TIX Refresher: Resources and Awareness Education	Students
1/31/2023	training provided to campus	TIX for GSG	Students
2/7/2023	webinar/training	ICS Quarterly Partner Meeting	Employees
2/15/2023	training provided to campus	TIX for USG	Students
3/1/2023	webinar/training	Title IX Advisors: Open Discussion	Employees
3/1/2023	training provided to campus	Greek New Member Orientation	Students
3/7/2023	webinar/training	Federal Compliance Update; Changes Expected in 2023	Employees
3/16/2023	webinar/training	The PUMP for Nursing Mother's Act: What Advocates and Employers Need to Know	Employees
3/21/2023	webinar/training	Why Pronouns Matter	Employees
03/23/23	webinar/training	Civil Rights Laws Then and Now: The Civil Rights Act of 1964	Employees
04/01/23	event	Teal Ribbons	Employees, Students
04/01/23	event	The Octopi project	Employees, Students
04/05/23	event	TIX Awareness Committee Meeting	Employees, Students
04/13/23	webinar/training	Partnering with Student Affairs on TIX Hearings	Employees
04/14/23	webinar/training	Takeaways from the Athletics NPRM & Potential Impact on Title IX Confirmation	Employees
04/14/23	event	Cover the Cruiser	Employees, Students
4/14/2023	webinar/training	Proposed TIX Regulations for Trans Student Athletes; Explore with the Experts	Employees

4/16/2023	event	Movie: She Said	Employees, Students
4/19/2023	webinar/training	Human Trafficking Webinar Series	Employees
5/1/2023	training provided to campus	TIX Annual Training to Dining Staff	Employees
05/08/23	training provided to campus	Orientation at Ford Center - Summer Camp	Students
05/09/23	webinar/training	Pregnant and Parenting Triage	Employees
05/09/23	training provided to campus	Title IX Info Session	Students
05/10/23	webinar/training	Pregnancy Discrimination and Accommodations under Title IX	Employees
5/17/2023	webinar/training	Prevention is a Team Sport	Employees
5/24/2023	webinar/training	Lessons from the Field Supporting Student Mental Health: What Works in Schools	Employees
6/1/2023	webinar/training	Reasonable Accommodations	Employees
6/5/2023	webinar/training	EEO and Affirmative Action Law	Employees
6/7/2023	webinar/training	The Equal opportunity Laws: Overview of Major Federal Laws	Employees
6/12/2023	webinar/training	The Equal opportunity Laws: Overview of Major Federal Laws	Employees
6/13/2023	webinar/training	Advanced SIVRA-35 Training	Employees
6/14/2023	webinar/training	Major Issues of EEO Law	Employees
6/14/2023	training provided to campus	Title IX	Students
6/20/2023 - 6/23/2023	conference attendance	Maxfest	Employees
6/21/2023	webinar/training	Americans with Disabilities Act: Hiring Essentials, Reasonable Accommodations	Employees
6/26/2023	webinar/training	National Origin and Religious Discrimination	Employees
6/28/2023	webinar/training	Affirmative Action	Employees
7/5/2023	webinar/training	Alternative Dispute Resolution & Evolving Trends	Employees
7/10/2023	webinar/training	MASU Title IX Committe Meeting	Employees
7/13/2023	webinar/training	The Ruling Explained: The Future of Affirmative Action in Higher Education	Employees
7/14/2023	webinar/training	Talking BITs: Presenting NABITAs new BIT Standards	Employees
7/18/2023	training provided to campus	Athletics/Recreation Summer Training	Employees
7/20/2023	training provided to campus	Title IX Training for Res Ed	Employees
7/25/2023	podcast	Part 1: Kink and the LGBTQI+ Culture in the Title IX Space with Stephanie Lott	Employees
7/25/2023	podcast	Part 2: Kink and the LGBTQI+ Culture in the Title IX Space with Stephanie Lott	Employees
7/25/2023	podcast	A conversatoin with Tiffany Cox on microaggressions and Title IX	Employees
7/26/2023	webinar/training	National Summit on Equal Opportunity in Higher Education	Employees

7/26/2023	podcast	Informational: Courtney Bullard's Top 10 for Title IX Coordinators	Employees
7/27/2023	webinar/training	Decision Makers: Procedural Requirements and Best Practices	Employees
7/27/2023	webinar/training	Title IX Team Refresher and Update 2023	Employees
8/7/2023	podcast	The tragic consequences of hazing: Lianne Kowiak shares her story	Employees
8/8/2023	podcast	Tracking trends, athletics, and TIX compliance for School Districts with Betsy Smith	Employees
8/8/2023	podcast	Doug Fierberg, attorney for the Gruver family against LSU, on Fraternity and Campus Hazing, Sexual Assault, and Title IX Violations by Schools	Employees
8/8/2023	webinar/training	ICS Quarterly Report	Employees
8/9/2023	podcast	There is Work to be Done in the Waiting: Your Summer TIX Checklist	Employees
8/9/2023	podcast	Emergency Removals and Admin Leave under Title IX	Employees
8/10/2023	webinar/training	Applying a Violence Risk Assessment in Title IX	Employees
8/10/2023	webinar/training	Higher Ed Back to School Webinar	Employees
8/10/2023	webinar/training	Communicate with Emotional Intelligence	Employees
8/10/2023	webinar/training	Communication Foundations	Employees
8/14/2023	training provided to campus	One Love	Students
8/15/2023	training provided to campus	One Love	Students
8/15/2023	training provided to campus	New Faculty Orientation	Employees
8/15/2023	training provided to campus	Fall RA Training	Students
8/17/2023	training provided to campus	OTL Training	Students
8/21/2023	training provided to campus	TIX IFP Training	Students
8/22/2023	training provided to campus	Be Well & Be Safe - 2 sessions	Students
8/23/2023	training provided to campus	TIX Roundtable - Scenario practice - 2 sessions	Students
8/24/2023	training provided to campus	TIX Roundtable - Scenario practice - 2 sessions	Students
8/25/2023	training provided to campus	TIX Roundtable - Scenario practice - 2 sessions	Students
8/30/2023	webinar/training	Pregnant Workers Fairness Act (PWFA) Webinar: What Employers Need to Know	Employees
8/30/2023	webinar/training	Campus Outreach Services Risk Management & Policy Series -- Session 4: Sexual Misconduct & Boundaries - "Mars & Venus in the Academic Setting"	Employees
8/31/2023	webinar/training	Campus Outreach Services: From Pronouns to Name-in-Use: Gender Identity Policies	Employees
9/5/2023	webinar/training	Title IX for Learning Center Coaches/LEAP Leaders	Students

9/6/2023	webinar/training	Title IX for Learning Center Coaches/LEAP Leaders	Students
9/10/2023	training provided to campus	TIX for EMS	Students
9/12/2023	training provided to campus	TIX for Air Force ROTC	Students
9/13/2023	webinar/training	ATIXA OCR Rulings	Employees
9/13/2023	training provided to campus	TIX for Makerspace Coaches	Students
9/14/2023	event	Bracelet making and informational session	Employees, Students
9/14/2023	webinar/training	Title IX Athletics Training	Employees
9/27/2023	webinar/training	PWFA: Webinar part 2	TIX Staff
9/27/2023	mass email to employees	TIX annual reminder	TIX Staff
9/28/2023	mass email to students	TIX annual reminder	Students
9/28/2023	webinar/training	Listening Session and Know Your Rights for Transgender Workers	Employees
9/28/2023	training provided to campus	TIX for IT	Employees
10/2/2023	event	Purple ribbons and signs for Domestic Violence Awareness Month	Employees, Students
10/3/2023	event	Seize the Awkward	Students
10/5/2023	webinar/training	Advanced TIX and First Amendment Training	Employees
10/10/2023	training provided to campus	Life @ Michigan Tech	Students
10/17/2023	webinar/training	ICS Quarterly Report	Employees
10/17/2023	training provided to campus	TIX Informational Session	Students
10/17/2023	training provided to campus	TIX Informational Session	Students
10/18/2023	training provided to campus	Life @ Michigan Tech	Students
10/20/2023	training provided to campus	HR Department Retreat - TIX Training	Employees
10/24/2023	webinar/training	What to Expect from Your Employer When You're Expecting	Employees
10/24/2023	webinar/training	The New Campus Speech Zone: Institutional Responses and Educational Efforts Involving social media	Employees
10/25/2023	event	Walk a Mile	Employees, Students
10/25/2023	training provided to campus	New Member Orientation	Students
10/26/2023	training provided to campus	One Love	Students
11/9/2023	training provided to campus	What are Healthy and Unhealthy Relationships - LGBTQ+	Students
11/14/2023	webinar/training	US EEOC + Anti-Defamation League Webinar	Employees
11/16/2023	training provided to campus	What are Healthy and Unhealthy Relationships	Students
11/29/2023	webinar/training	What Students Can Teach Us About Free Speech and Inclusion: It's Complicated	Employees
12/13/2023	webinar/training	Title IX Hearings: What's in Store for 2024?	Employees

Ongoing	Bridges: Taking Action	Employees	
Ongoing	Sexual Assault Prevention for Athletic Staff	Employees	
Ongoing	Preventing Harassment & Discrimination	Employees	
Ongoing	Sexual Assault Prevention Ongoing: Healthy Relationships	Student Employees	
Ongoing	Preventing Harassment and Discrimination: Non-Supervisors with Title IX/Clery Module	Employees	
Ongoing	Preventing Harassment and Discrimination: Supervisors with Title IX/Clery Module	Employees	
Ongoing	Sexual Assault Prevention for Undergraduates	Students	
Ongoing	Sexual Assault Prevention for Graduate Students	Students	
Ongoing	Speak Up Title IX Cards	All Campus	
Ongoing	Speak Up Title IX Posters	All Campus	
Online Materials	Title IX for Student Employees	Student Employees	
Online Materials	Title IX for Student Organization Leadership and Advisors	Employees and Students	
Online Materials	Title IX for Life @ Michigan Tech New International Students	Students	
Summer 2023	Annual Title IX Recorded Sessions	Student Employees	

Notification to Students Regarding University Alcohol and Other Drugs Policy

Introduction

At Michigan Technological University, concern for the health, safety, and welfare of the campus community is paramount. The University recognizes that adult students will make personal choices about their use of alcohol and

other substances, but those choices must not disrupt the University community, have a negative impact on other members of the surrounding community, or violate any local, state, federal law or ordinance, or University Code of Conduct.

The abuse of alcohol and other drugs by students and student organizations is contrary to the University's values and mission, and can diminish the intellectual, social, physical and moral development of its students. The risks of substance abuse and misuse include poor academic performance, poor social interactions, unwanted and inappropriate sexual activity, and negative impact on future career prospects.

Michigan Tech is committed to providing educational activities and information concerning the legal and physiological aspects of alcohol and drug use and abuse. In addition, the University provides wellness programs to support a healthy lifestyle and highly values responsible bystander behavior and timely reporting.

Please refer to Michigan Technological University's Student Code of Community Conduct for additional information.

University Policies

All students are expected to read and be familiar with the following University policies related to alcohol and controlled substances:

- [Board of Control Policy 12.4 – Alcoholic Beverages](#)
- [University Policy – Abuse of Alcohol and Other Drugs By Students and Student Organizations](#)
- [Student Code of Community Conduct](#)

Alcohol use in University Housing

Occupants of residence halls and University apartments may possess and use alcohol in approved rooms if such persons are of legal drinking age. For a complete list of provisions and more information, see the Residence Education and Housing Services Living Guides at <https://www.mtu.edu/residential-living/education/living-guide/>

Alcohol use at Registered Student Organization Events

The possession, sale, use, or consumption of alcoholic beverages, while on University or organizational premises, during an organizational event, in any situation sponsored or endorsed by any Registered Student Organization, or in any event an observer would associate with the organization, must be in compliance with any and all applicable policies and laws of the state, county, city, and University. (*Organizational premises include but are not limited to any property or premises owned by, leased to, or in the permanent or temporary control of or management by a registered student organization.*)

RSOs that intend to have alcohol served on-campus or at any University-sponsored event must submit a risk management plan to Student Activities 30 days prior to the event. This plan is subject to review and approval by Student Activities, Dining Services, the Facility Manager, Risk Management, and Public Safety and Police Services. All RSOs sponsoring or co-sponsoring the event must abide by the provisions of this policy.

Alcoholic beverages may not be purchased with organizational funds, University general fund monies, or any Student Activity Fee funding, nor may purchases for members or guests be undertaken or coordinated by any member in the name of, or on behalf of, the organization.

No RSO shall sponsor or co-sponsor any activity or function that permits unrestricted and/or public access to alcohol beverages. Common sources of alcoholic beverages (over one gallon), as well as any type of keg containing an alcoholic beverage, are not permitted on organizational premises or during an organizational event.

Any type of drinking game, challenge, competition, performance, or contest that involves or utilizes alcohol, on organization premises or during an organizational event is strictly prohibited.

No RSO may co-sponsor an event with an alcohol distributor or tavern where alcohol is given away, sold, or provided to those present. (A tavern is defined as an establishment generating more than half of its annual gross sales from alcohol.) This includes any event held in, at, or on the property of a tavern for the purposes of fundraising.

An RSO may rent or use a room or area in a tavern as defined above for an event held within the provisions of this policy.

- Alcohol may not be provided, sold, available, or possessed by any person in the same room or immediate area that the RSO is renting or using.
- RSOs may not profit financially in any way from the event.
- RSOs may not facilitate or assist in the sale of alcohol or the operation of the tavern in any way. This includes but is not limited to bartending, verifying identification of members/guests, and/or having members act as security for the facility.

Because the University recognizes that the use of alcohol at recruitment functions goes against the best interest of the recruiting organization and the potential new members, alcohol cannot be used in or during recruitment functions by any RSO, nor can it be present at any pre or post organizational parties or events regardless of whether they are “official” functions.

The possession, sale, or use of any illegal drugs or controlled substances while on organizational premises or during an organization event is strictly prohibited.

Disciplinary Action

Students who violate state, federal or local laws concerning drugs or alcohol while on University property or at University-sponsored events, and/or those who violate University regulations regarding the prohibition of drugs or alcohol or the time, place, and manner in which alcohol is used or advertised, are subject to disciplinary action and possible criminal prosecution.

Students or student groups are subject to disciplinary action as outlined in the Student Code of Community Conduct, <http://www.mtu.edu/conduct/policies/student-conduct/>

Any student employee convicted of a criminal drug offense or any alcohol-related driving or possession offense - that occurred in the workplace or while on University business must notify their immediate supervisor within five (5) business days of the conviction.

Following notification of a student employee’s conviction, the supervisor shall notify the Office of Academic and Community Conduct. If the student employee is paid through a federal contract or grant, the student employee’s supervisor should also inform the Office of Research and Supported Programs. In each case, the respective offices shall apply appropriate sanctions and conditions according to University policies and procedures.

Students are required to inform the Financial Aid Office if convicted of a drug offense while receiving financial aid. Students may be subject to prosecution by civil authorities. No student will be denied due process.

Parental Notification

The 1998 Reauthorization of the Higher Education Act permits colleges and universities to inform parents and family when their student violates University regulations and/or local, state, or federal laws with respect to alcohol and drugs. Please see Michigan Tech’s Parental Notification Policy: <https://www.mtu.edu/deanofstudents/parents-family/notification/>

Prevention and Assistance

Michigan Tech is committed both to prevention of alcohol and drug abuse, and assistance to students and who need help with substance abuse issues. Accordingly, in addition to the discipline procedures mentioned earlier, the University will also offer support, rehabilitation, and/or counseling services to any student or employee who makes a request. Prevention and Assistance Resources include:

Department of Public Safety and Police Services Emergency? Dial 911

206 MacInnes Drive (Widmaier House) (906)487-2216

<http://www.mtu.edu/publicsafety/>

Anonymous, online tip form: www.mtu.edu/tips

Anonymous phone tip line: (906) 487-OTIP (487-0847)

Anonymous Text to Tip: (906) 421-4911

Center for Student Mental Health and Well-being

(906) 487-2538

<https://www.mtu.edu/well-being/>

Office of Academic and Community Conduct

(906) 487-2951

<http://www.mtu.edu/conduct/>

Student Leadership and Involvement

(906) 487-1963

<https://www.mtu.edu/student-leadership/>

Dean of Students Office

(906) 487-2212

<http://www.mtu.edu/deanofstudents/>

Residence Education and Housing Services

(906) 487-2682

<https://www.mtu.edu/residential-living/>

Dial Help

Helpline: (906) 482-HELP (4357)

24/7 Victim Services (866)661-5589 Text Us: (906)35-NEEDS (63337)

www.dialhelp.org

Upper Great Lakes Family Health Center - SDC

600 MacInnes Drive

Houghton, MI 49931

(906) 483-1860

<https://uglhealth.org/locations-2/>

Equal Opportunity Compliance and Title IX

308 Administration Building

(906) 487-3310

<https://www.mtu.edu/eo-compliance/>

Title IX Coordinator

Administration Building, Room 310

906-487-3310

ashalkol@mtu.edu

titleix@mtu.edu

Human Resources

(906) 487- 2280

<https://www.mtu.edu/hr/>

dpcarney@mtu.edu

Summary of State and Federal Laws

vii) Laws Relating to Use of Alcohol

All federal, state, and local laws governing alcohol use apply to all activities at Michigan Tech. These summaries are an educational tool and other provisions not included may also apply.

- a) *Legal Age for Possession and Consumption of Alcohol*-It is illegal for a person under 21 years of age to purchase, consume, or possess alcoholic beverages.
- b) *Transporting Alcoholic Beverages*-It is a misdemeanor for a person under 21 years of age to knowingly transport alcoholic beverages in a motor vehicle.
- c) *Fraudulent Identification*-A person under 21 years of age who furnishes fraudulent identification, or who uses fraudulent identification to purchase alcoholic beverages is guilty of a misdemeanor.
- d) *Regulation of Sale*-Under Michigan Law, the sale, trade, or giving away of alcoholic beverages, including alcoholic beverages for personal use, requires a license or other prior written authorization.
- e) *Open Container Laws*-It is illegal to transport or possess any alcoholic beverages in a container that is open, uncapped, or upon which the seal is broken within a motor vehicle on the highways in the state of Michigan.
- f) *City Ordinances*-The Cities of Houghton and Hancock prohibit the consumption of alcoholic beverages on any public streets or sidewalks, in parks, or in any other public places.
- g) *Liability*-In the state of Michigan, a person who is injured by a visibly intoxicated person, who has been furnished alcohol unlawfully, has the right of action.
- h) *Drinking and Driving*-Michigan has a "zero-tolerance" law permitting no blood alcohol for drivers less than 21 years of age.
- i) *Alcohol and Sexual Assault*-Engaging in sexual activity with a person who is unable to consent is considered sexual assault and is punishable under Michigan law.
- j) *Disorderly Conduct* - In the state of Michigan, a person who is intoxicated in a public place and who is a danger to themselves or others is defined as a disorderly person.

viii) Laws Regarding Controlled Substances

Under Michigan and federal law, it is unlawful for any person to manufacture, deliver, possess, use, or inhale any chemical or controlled substance, unless authorized.

Controlled substances are determined by the federal government. Certain drugs are categorized according to Schedules, which depend on the drug's known or potential medical value, its potential for physical or psychological dependence, and its risk, if any, to public health.

The penalty for the illegal possession, use, sale, or delivery of controlled substances depends on the quantity of the drug, and to which Schedule it belongs, Schedule I drugs carrying the most severe penalty, and Schedule V drugs carrying the least severe penalty. If the sale or transport of drugs crosses interstate

lines, federal law and penalties will apply. Federal drug trafficking penalties can be found at:
https://www.ssc.edu/wp-content/uploads/2014/07/trafficking_penalties.pdf

Crime Statistics

The DPSPS prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the Houghton City Police Department and other law enforcement agencies surrounding the Michigan Tech campus and outlying areas and the Office of Student Affairs, and Residence Education and Housing Services.

Each year, an e-mail notification is made to all enrolled students, faculty, and staff that provides the Web site address to access this report. Copies of this report may also be obtained at the DPSPS at 206 MacInnes Drive. All prospective students are informed in application packets of the report's existence and the Web site address where it can be found.

Campus Security Authorities

Campus crime, arrest, and referral statistics include those reported to DPSPS, designated campus officials, known as Campus Security Authorities (CSA), and other law enforcement agencies. At Michigan Tech, CSAs include Public Safety and Police Services staff; Human Resources Department staff; Athletic Department staff, coaches, and students; Residence Education and Housing Services staff and student; Student Affairs staff and student; Intramural Department staff and student; advisors to student organizations; and Deans, Department Chairs and Directors.

Campus "Professional Counselors" such as Counseling Services, when acting as such, are not considered to be a CSA and are not required to report crimes for inclusion in 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 in the annual crime statistics. A professional counselor is defined as an employee whose official responsibilities include providing psychological counseling to members of the University community and who is functioning within the scope of his or her license or certification or under the supervision of a professional counselor.

Crime Definitions

Aggravated Assault - An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. This also includes assault with disease (as in cases when the offender is aware that he/she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).

Arson - To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

Bias - A preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, gender, gender identity, ethnicity or national origin.

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, gender, gender identity, ethnicity or national origin; also known as Hate Crime.

Note: Even if the offender was mistaken in his/her perception that the victim was a member of the group he or she was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

Burglary - The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

Dating Violence - Violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship.

- b. The type of relationship.
- c. The frequency of interaction between the persons involved in the relationship.

Domestic Violence—includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Michigan, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Michigan.

Disability Bias - A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments or challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

Drug Abuse Violations - Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Ethnicity/National Origin Bias - A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions, e.g., Arabs, Hispanics.

Forcible Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible Rape (Except “Statutory Rape”) - The carnal knowledge of a 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 temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.

Forcible Sodomy - Oral or anal sexual intercourse with 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.

Hate Crime - see Bias Crime.

Hate Group - An organization whose primary purpose is to promote animosity, hostility, and malice against persons belonging to a race, religion, disability, sexual orientation, ethnicity or national origin which differs from that of the members of the organization, e.g., the Ku Klux Klan, American Nazi Party.

Incest - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

Liquor Law Violations - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

Motor Vehicle Theft - The theft of a motor vehicle.

Note: A “motor vehicle” is a self-propelled vehicle that runs on the surface of land and not on rails, and which includes automobiles, buses, recreational vehicles, trucks, motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, and golf carts.

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

Negligent Manslaughter - The killing of another person through negligence.

Non-Campus Property – Off-campus property that is owned or managed by a recognized student organization, such as fraternities, sororities, and cooperatives. Additionally, this includes incidents reported at remote campus locations on property owned or leased by Michigan Tech.

On-Campus Property – The property that Michigan Tech owns or manages within the City of Houghton and the Ford Center in Baraga County.

Public Property – The streets, sidewalks and public parking facilities that adjoin campus property.

Racial Bias - A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features; etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, Blacks, Whites.

Religious Bias - A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, Atheists.

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. This definition includes any gender of victim or perpetrator.

Robbery - The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

Sexual Assault With An Object - To use 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.

Sexual-Orientation Bias - A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex, e.g., gays, lesbians, heterosexuals.

Stalking—means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for his or her safety or the safety of others; or
2. Suffer substantial emotional distress.

Statutory Rape - Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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; and all attempts to commit any of the aforementioned.

State of Michigan Criminal Sexual Conduct Law

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

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

- (a) That other person is under 13 years of age.
- (b) That other person is at least 13 but less than 16 years of age and any of the following:
 - (i) The actor is a member of the same household as the victim.
 - (ii) The actor is related to the victim by blood or affinity to the fourth degree.
 - (iii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.
 - (iv) The actor is a teacher, substitute teacher, or administrator of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled.
 - (v) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
 - (vi) The actor is an employee, contractual service provider, or volunteer of a child care organization, or a person licensed to operate a foster family home or a foster family group home in which that other person is a resident, and the sexual penetration occurs during the period of that other person's residency. As used in this subparagraph, "child care organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.
- (c) Sexual penetration occurs under circumstances involving the commission of any other felony.
- (d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:
 - (i) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
 - (ii) The actor uses force or coercion to accomplish the sexual penetration. Force or coercion includes, but is not limited to, any of the circumstances listed in subdivision (f).
- (e) The actor is armed with a weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon.
- (f) The actor causes personal injury to the victim and force or coercion is used to accomplish sexual penetration. Force or coercion includes, but is not limited to, any of the following circumstances:
 - (i) When the actor overcomes the victim through the actual application of physical force or physical violence.
 - (ii) When the actor coerces the victim to submit by threatening to use force or violence on the victim, and the victim believes that the actor has the present ability to execute these threats.
 - (iii) When the actor coerces the victim to submit by threatening to retaliate in the future against the victim, or any other person, and the victim believes that the actor has the ability to execute this threat. As used in this subdivision, "to retaliate" includes threats of physical punishment, kidnapping, or extortion.
 - (iv) When the actor engages in the medical treatment or examination of the victim in a manner or for purposes that are medically recognized as unethical or unacceptable.
 - (v) When the actor, through concealment or by the element of surprise, is able to overcome the victim.
- (g) The actor causes personal injury to the victim, and the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

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

Michigan Criminal Law section 750.520c: Criminal sexual conduct in the second degree; felony.

- (1) A person is guilty of criminal sexual conduct in the second degree if the person engages in sexual contact with another person and if any of the following circumstances exists:
 - (a) That other person is under 13 years of age.
 - (b) That other person is at least 13 but less than 16 years of age and any of the following:
 - (i) The actor is a member of the same household as the victim.
 - (ii) The actor is related by blood or affinity to the fourth degree to the victim.
 - (iii) The actor is in a position of authority over the victim and the actor used this authority to coerce the victim to submit.
 - (iv) The actor is a teacher, substitute teacher, or administrator of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled.
 - (v) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
 - (vi) The actor is an employee, contractual service provider, or volunteer of a child care organization, or a person licensed to operate a foster family home or a foster family group home in which that other person is a resident and the sexual contact occurs during the period of that other person's residency. As used in this subdivision, "child care organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.
 - (c) Sexual contact occurs under circumstances involving the commission of any other felony.
 - (d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:
 - (i) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
 - (ii) The actor uses force or coercion to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in section 520b(1)(f).
 - (e) The actor is armed with a weapon, or any article used or fashioned in a manner to lead a person to reasonably believe it to be a weapon.
 - (f) The actor causes personal injury to the victim and force or coercion is used to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in section 520b(1)(f).

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

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

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

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

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

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

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

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

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

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

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

Michigan Criminal Law section 750.520d: Criminal sexual conduct in the third degree; felony.

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

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

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

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

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

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

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

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

service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.

- (f) That other person is at least 16 years old but less than 26 years of age and is receiving special education services, and either of the following applies:
- (i) The actor is a teacher, substitute teacher, administrator, employee, or contractual service provider of the public school, nonpublic school, school district, or intermediate school district from which that other person receives the special education services. This subparagraph does not apply if both persons are lawfully married to each other at the time of the alleged violation.
 - (ii) The actor is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
- (g) The actor is an employee, contractual service provider, or volunteer of a childcare 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, "childcare 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 the other person is related to the actor by blood or affinity to the third degree and the sexual contact occurs under circumstances not otherwise prohibited by this chapter. It is an affirmative defense to a prosecution under this subdivision that the other person was in a position of authority over the defendant and used this authority to coerce the defendant to violate this subdivision. The defendant has the burden of proving this defense by a preponderance of the evidence. This subdivision does not apply if both persons are lawfully married to each other at the time of the alleged violation.

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

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

- (i) The actor is a teacher, substitute teacher, or administrator of that public school, nonpublic school, school district, or intermediate school district. This subparagraph does not apply if the other person is emancipated or if both persons are lawfully married to each other at the time of the alleged violation.
 - (ii) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
- (g) That other person is at least 16 years old but less than 26 years of age and is receiving special education services, and either of the following applies:
- (i) The actor is a teacher, substitute teacher, administrator, employee, or contractual service provider of the public school, nonpublic school, school district, or intermediate school district from which that other person receives the special education services. This subparagraph does not apply if both persons are lawfully married to each other at the time of the alleged violation.
 - (ii) The actor is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
- (h) The actor is an employee, contractual service provider, or volunteer of a child care organization, or a person licensed to operate a foster family home or a foster family group home, in which that other person is a resident, that other person is at least 16 years of age, and the sexual contact occurs during that other person's residency. As used in this subdivision, "child care organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.
- (2) Criminal sexual conduct in the fourth degree is a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than \$500.00, or both.

Domestic Violence: The term "domestic violence" means

- 1) Felony or misdemeanor crimes of violence committed —
 - (i) By a current or former spouse or intimate partner of the victim;
 - (ii) By a person with whom the victim shares a child in common;
 - (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

- (1) Except as otherwise provided in this section, a person who assaults or assaults and batters an individual, if no other punishment is prescribed by law, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.
- (2) Except as provided in subsection (3) or (4), an individual who assaults or assaults and batters his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.
- (3) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has previously been convicted of assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in

common, or a resident or former resident of his or her household, under any of the following, may be punished by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both:

(a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.

(b) Section 81a, 82, 83, 84, or 86.

(c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.

(4) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has 2 or more previous convictions for assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$5,000.00, or both:

(a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.

(b) Section 81a, 82, 83, 84, or 86.

(c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.

(5) This section does not apply to an individual using necessary reasonable physical force in compliance with section 1312 of the revised school code, 1976 PA 451, MCL 380.1312.

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

Dating Violence: The term "dating violence" means violence committed by a person

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

2) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

(i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(ii) Dating violence does not include acts covered under the definition of domestic violence.

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

Stalking: The term "stalking" means

1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

2) Course of conduct means two or more acts including, but not limited to:

(i) Acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

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

(iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

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

Michigan Criminal Law section 750.411h: Stalking.

(1) As used in this section:

(a) "Course of conduct" means a pattern of conduct composed of a series of 2 or more separate noncontinuous 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:
- (a) Except as provided in subdivision (b), a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.
 - (b) If the victim was less than 18 years of age at any time during the individual's course of conduct and the individual is 5 or more years older than the victim, a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00, or both.
- (3) The court may place an individual convicted of violating this section on probation for a term of not more than 5 years. If a term of probation is ordered, the court may, in addition to any other lawful condition of probation, order the defendant to do any of the following:
- (a) Refrain from stalking any individual during the term of probation.
 - (b) Refrain from having any contact with the victim of the offense.
 - (c) Be evaluated to determine the need for psychiatric, psychological, or social counseling and if, determined appropriate by the court, to receive psychiatric, psychological, or social counseling at his/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.

Three Year Crime Statistics – Houghton Campus

Offense	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities	Unfounded
Murder/Non-Negligent Manslaughter	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Sex Offenses - Rape	2023	1	0	0	1	1	0
	2022	2	0	0	2	1	0
	2021	2	2	0	4	0	0
Sex Offense - Fondling	2023	0	0	0	0	0	0
	2022	0	1	0	1	0	0
	2021	1	0	0	1	1	0
Sex Offense - Statutory	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Sex Offense - Incest	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Robbery	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Aggravated Assault	2023	1	0	0	1	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Burglary	2023	1	0	0	1	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Liquor Law Arrests	2023	0	0	0	0	0	0
	2022	0	1	0	1	0	0
	2021	1	0	0	1	1	0
Drug Law Arrests	2023	1	0	0	1	1	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Weapons Law Arrests	2023	0	1	0	1	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023	31	2	0	33	31	0
	2022	55	2	0	57	50	0
	2021	37	2	0	39	36	0
Drug Law Violations Referred for Disciplinary Action	2023	9	0	0	9	9	0
	2022	12	0	0	12	12	0
	2021	27	0	0	27	27	0
	2023	0	0	0	0	0	0

Weapons Law Violations Referred for Disciplinary Action	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Arson	2023	1	0	0	1	1	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Domestic Violence	2023	1	0	0	1	1	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Dating Violence	2023	0	0	0	0	0	0
	2022	1	1	0	2	1	0
	2021	1	0	0	1	1	0
Stalking	2023	8	0	0	8	6	0
	2023	8	0	0	8	4	0
	2021	6	0	0	6	5	0

- There were no hate crimes reported for 2023, 2022, or 2021 at the Houghton Campus location.
- There were zero unfounded crimes in 2023, zero in 2022 and zero in 2021.
- Michigan law changed in 2018 making Minor in Possession of Alcohol 1st offense a civil infraction therefore, liquor law violations are counted as referrals instead of arrests.
- Michigan law changed in 2018 legalizing possession and use of marijuana by those over 21 years of age, therefore, drug law violations are counted as referrals instead of arrests.
- Crimes reported in the “Residential Facilities” category are included in the “On-Campus” category.
- “Non-Campus” category includes university owned or controlled properties outside of the main campus.
- The statistics in the Annual Security Report were prepared by the Michigan Technological University Department of Public Safety and Police Services with additional information from the Office of Academic and Community Conduct, Title IX and local law enforcement agencies. Reports from disciplinary cases are cross referenced with records in the Public Safety and Police Services to prevent double counting.

Three Year Crime Statistics – Ford Center Campus

Offense	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities	Unfounded
Murder/Non-Negligent Manslaughter	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Sex Offenses - Rape	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Sex Offenses - Fondling	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Sex Offenses - Statutory	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Sex Offenses - Incest	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0

	2021	0	0	0	0	0	0
Robbery	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Burglary	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Liquor Law Arrests	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Drug Law Arrests	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Weapons Law Arrests	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Arson	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Domestic Violence	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Dating Violence	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
Stalking	2023	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2021	0	0	0	0	0	0

- There were no hate crimes reported for 2023, 2022 or 2021 at the Ford Center Campus location.
- There were zero unfounded crimes in 2023, zero unfounded crimes in 2022 and zero unfounded crimes in 2021.
- Michigan law changed in 2018 making Minor in Possession of Alcohol 1st offense a civil infraction; therefore, liquor law violations are counted as referrals instead of arrests.
- Michigan law changed in 2018 legalizing possession and use of marijuana by those 21 years of age and over, therefore, drug law violations are counted as referrals instead of arrests.

- Crimes reported in the “Residential Facilities” category are included in the “On-Campus” category.
- “Non-Campus” category includes university owned or controlled properties outside of the main campus.
- The statistics in the Annual Security Report were prepared by the Michigan Technological University Department of Public Safety and Police Services with additional information from the Office of Academic and Community Conduct, Title IX and local law enforcement agencies. Reports from disciplinary cases are cross referenced with records in the Department of Public Safety and Police Services to prevent double-counting

Fire Safety Report

In accordance with the Higher Education Opportunities Act of 2008, Michigan Tech is providing mandatory fire safety information as part of this Annual Report. All reports of fires and fire alarms are maintained in a fire log at the Michigan Tech DPSPS. Data collected includes the nature of the fire, date and time of occurrence, and the general location of the fire.

Fire safety details are explained below. At the current time, future improvements in fire safety are not necessary.

Fire Safety Systems

Michigan Tech’s Houghton Campus is home to three residence halls (Wadsworth Hall, McNair Hall, and Douglass Houghton Hall), Hillside Place - a residential apartment building, and the Daniell Heights Apartments. Residential facilities at the Ford Center consist of four houses and two dormitories.

- **Residence Halls** - Each of the residence halls is equipped with a fire safety and suppression system. These systems each allow members of the housing facilities staff as well as fire safety personnel to access important information which is critical to combating any fire emergencies that may arise.

The first part of the system is the enunciator panel which is located at the main entrance to the buildings. This panel is the control center for the system and will also alert emergency personnel to the locations in the building where a fire alarm may be sounding.

Each room in the living area, as well as kitchenettes and other public areas, feature both smoke alarms and sprinklers. When a smoke alarm is activated in a resident’s room or the kitchenette, only that particular location will sound. In public areas, alarm activation will sound the general building alarm.

All alarms are monitored and received at the DPSPS 24 hours a day, seven days a week. When an alarm is received, is responsible for dispatching police and fire to the location to assess the situation.

Another feature to the fire system is the sprinklers which are located in all rooms and kitchenettes. In the event that a sprinkler is triggered, only the room triggered is affected. However, if three sprinklers have all been triggered, the entire building alarm will sound. Each of these sprinklers yields 30 gallons of water per minute and the sprinkler system can be isolated for control by floor.

Common areas and certain rooms in the halls are equipped with strobe lights to alert the hearing impaired to an emergency situation. The final component of this system is the fire alarm pulls which are located throughout the halls. If pulled, these activate the entire building fire alarm, and send an immediate notification to the DPSPS.

- **Hillside Place** – The fire safety system for the newly constructed apartment building is similar to the system in each of the residence halls as described above. Additionally, the stairway landings on each floor are designated as “Areas of Refuge”. These areas are equipped with a panic button. When a panic button is activated, it is received at the DPSPS. Personnel is then dispatched to the building to check the alarm panel near the main entrance. This panel indicates which panic button was activated and allows the responder to have voice contact with the individual who activated the button.

- **Daniell Heights Apartments** – The Daniell Heights Apartments are equipped with local fire alarms. Each apartment is equipped with smoke detectors and fire blankets are located in each kitchen. Additionally, fire extinguishers are located in the common areas on each floor of each apartment building.
- **Ford Center Houses** – Each of the houses is equipped with smoke detectors and fire extinguishers.
- **Ford Center Dormitories** – Each dorm is equipped with smoke detectors, a building alarm that sounds if a pull station is activated, and fire extinguishers.

Portable Electrical Appliances, Smoking and Open Flames

To minimize the potential for fires in the residential community, it is the policy of Michigan Technological University to prohibit the use of the following items in any University owned or operated residence hall indoors.

- ✦ any open flame device or object, including
 - candles
 - candle warmers
 - incense and related accessories
 - hot plates
 - slow cookers
 - deep fryers
 - electric skillets
 - electric woks
 - griddles
 - sandwich makers/ grills and other similar type of products
 - toaster ovens for cooking/warming purposes
- portable space heaters
- barbecue grills
- hibachis
- smokers, (gas, electric, charcoal) and related accessories, including lighter fluids and lighters and other similar type products for cooking/ warming purposes.
- flammable/combustible liquids
- fireworks, firecrackers, rockets,
- flares, sparklers and other devices
- halogen lamps
- ceiling/wall tapestries
- live Holiday trees or non-fire-retardant artificial Holiday trees

The “cooking” and “warming” options exclude cooking and warming done in areas designed and built for such purposes.

Michigan Tech campus is a tobacco free, smoke free and vape free campus.

More information here: <https://www.mtu.edu/residential-living/education/living-guide/safety/fire-evacuation/>

Fire Drills and Evacuation Procedure

In order to promote safety in the event of emergency, each room in the residence halls is equipped with “[A Guide to Emergency Procedures](#)”, a document outlining the processes that a student should take in case of numerous emergencies. Also, each hall holds a fire drill prior to the start of each semester. The procedure the students are to follow is discussed with them at their first “House meeting” with their resident assistant (RA). The fire drills ensure that students, student staff, and professional staff are prepared to deal with a fire emergency if the need arises.

Fire drills are not conducted at the Daniell Heights apartments. Pursuant to Michigan law governing post-secondary educational facilities, fire drills are required only in dormitories. Fire drills are not conducted at Ford Center student housing.

Fire-fighting equipment and evacuation route postings are located throughout each residence hall. Fire drills help residents to learn fire evacuation procedures. Residents will be given information regarding the fire alarm and evacuation procedures for the hall during their first house meeting. Fire drills are held at least monthly.

During all fire drills, all residents and staff of each building must evacuate the building. Failure to evacuate during fire alarms will result in disciplinary action. It is against state law to use fire equipment for a purpose other than its intended use. Individuals tampering with life support, fire alarms, smoke detectors, or fire-fighting equipment are subject to immediate dismissal from the University.

Nothing is permitted to obstruct or be hung on the residence hall fire-sprinkler system or plumbing at any time. This includes piping, sprinkler heads, and valves. Hanging decorations or items from the fire-sprinkler system may cause the system to malfunction. Also, nothing can block the residence hall room windows at any time. Placing items that block windows can prevent emergency responders from assessing a fire, or rescuing a resident from a residence hall building.

- Turn on ceiling light and open draperies.
- Close windows.
- Touch inside of door to test for heat.
 - If warm, DO NOT open.
 - If you are trapped in your room by fire, keep your door and window closed tightly and stand in full view in the window until help arrives.
- If not warm, exit room.
- Brace yourself against the door and crack it slightly open to check the incoming air at the top of the door with your hand.
- Exit immediately. Wear shoes; take your coat, room key, and Michigan Tech ID. Close and lock the door and walk away from the building by your assigned route. Do not talk. Listen for directions. Do NOT use elevators as an emergency exit. Stay low to the ground.
- When you leave the building, move to your assigned meeting area which will be at least 100 feet away from the building.
- Do not return to your room or re-enter the building. Wait for instructions. You may re-enter the building when the alarm is silenced OR after the all clear has been given by the fire department.

Fire Safety Education/Training

When drills occur, students are to follow the procedure list given above. In the case of Residence Education and Housing Services student staff, there are additional duties once these student/ have left the building. The exact procedures are dependent upon the individual's role within Residence Education and Housing Services and Dining Services. These procedures are listed below.

- **Resident Assistant (RA)**
 - Follow the resident evacuation procedure for your room. Put on vest and take staff badge, Tech ID, fire roster, and flashlight (if at night).
 - Leave the building by your assigned route. Close all fire doors and room doors on your way out.
 - Program Coordinators (PCs) should head to the front of their buildings and assist with directing traffic and ensuring students can safely cross Highway 41.
 - RAs should complete the Fire Drill Roster Procedure during the first fire drill of each semester and at all other unscheduled fire alarms.
 - Each RA is provided with a Fire Drill Roster and clipboard. Each clipboard has a copy of the house roster and rosters of other houses in the area.
 - Upon arriving at the fire alarm evacuation location, the RA will take attendance of all house members.
 - The RA will quickly try to determine the location of each resident not at the evacuation locations by asking roommates and friends.
 - The RA will highlight all residents on the roster that are accounted for.

- The RA will check nearby evacuation locations to make sure the surrounding houses have been accounted for. If it has not, the RA will repeat steps c-e for this house.
 - Within five minutes of when the alarm sounded, the highlighted list will be submitted to the appropriate residence education coordinator (REC).
 - Following the drill, new rosters will be available in the RA mailboxes in order to update the clipboards.
 - Check in with your REC at the designated location and provide them with your roster. Follow any instructions they may give you.
 - Go to your house's assigned meeting area and wait for further instructions. Keep all residents at least 100 feet away from the building.
 - DO NOT re-enter the building yourself or allow someone else to re-enter the building unless the alarm has been silenced.
- **Residence Education Coordinator (REC)**
- Your residence hall student roster, house meeting location listing, vest and radio should be in your possession if possible.
 - Exit immediately.
 - Go to your designated meeting location.
 - Each RA will check in with their REC once their house is clear.
 - If the REC is not available at the time of the evacuation, the first RA to arrive on the scene will take over these responsibilities.
 - The reception desk employee will check in with the REC at the meeting location once the desk is closed.
 - If the evacuation is during office hours, the designated staff person will check in with the REC and inform them that all staff persons are evacuated.
 - All staff and students must be at least 100 feet away from the buildings.
 - Once all areas have been evacuated and accounted for, the professional staff or the DPSPS will communicate with the Management Assistant (MA) and inform that that everyone is out so that the alarms may be silenced.
 - If an actual emergency exists, follow the direction given.
 - If an extended evacuation is needed, the student life professional staff on location will request transportation and you will be instructed to evacuate residents to a designated extended evacuation location.
- **Operations Assistant (OA)**
- When the DPSPS hears the Fire Enunciator Panel, their dispatcher will contact the OA on their cell phone.
 - The OA will go to the building Enunciator Panel to receive more specific information; and share this information with the DPSPS officer on the scene and the fire department.
 - The OA will perform the "Reset" duties ONLY after the hall has been evacuated and approval from the fire department, DPSPS officer, or live-on professional staff has been given.
 - The OA will then complete the fire report and distribute it.
- **Residence Hall & Dining Staff**
- Evacuate to the designated meeting location.
 - The designated staff person should prepare for notice of completed evacuation.
 - The dining hall manager in charge will account for all on-campus and off-campus or non-hall students and inform the designated staff person that evacuation is completed to the designated meeting location.
 - The custodial staff and any off-campus or non-hall student custodial will inform the designated staff person that they have evacuated. (The Housing Facilities manager and the maintenance staff will be assisting with the fire equipment inside the building).
 - Any students who are residents of the hall and are working for dining or custodial services during the time of the evacuation must report to their designated house meeting location.

- Professional live-on Student Life staff members (and all family members) will take their radio and vest and then evacuate to a central building location to assist with evacuation or follow other directions as given.
- All staff and students must be at least 100 feet away from buildings.
- When all have been accounted for, the designated staff person will inform the REC.
- Wait until the alarm is silenced to return to the building OR when the fire chief has okayed return into the building. If an actual emergency exists, wait for instructions.

Contact Information

In order to report a fire in progress, dial 911. In the case of a fire alarm, DPSPS will keep an updated log of all incidents. Contact the Director of Residence Education and Housing Services as well as the Director of Housing Facilities to inform of any alarms that may occur

Fire Statistics for Calendar Year 2023

Houghton Campus Housing Fire Statistics – Calendar Year 2023				
	Number of Fires	Number of Injuries	Number of Deaths	Property Value (\$)
<u>Residence Halls</u>				
Douglass Houghton	0	0	0	\$0
McNair	0	0	0	\$0
Wadsworth	1	0	0	(2)\$150
<u>Apartments</u>				
Hillside Place	0	0	0	\$0
Daniell Heights				
1801	0	0	0	\$0
1802	0	0	0	\$0
1803	0	0	0	\$0
1804	0	0	0	\$0
1805	0	0	0	\$0
1806	0	0	0	\$0
1807	0	0	0	\$0
1808	0	0	0	\$0
1809	0	0	0	\$0
1810	0	0	0	\$0
1811	0	0	0	\$0
1812	0	0	0	\$0
1901	0	0	0	\$0
1902	0	0	0	\$0
1903	0	0	0	\$0
1904	0	0	0	\$0
1905	0	0	0	\$0
1906	0	0	0	\$0
1907	0	0	0	\$0
1908	0	0	0	\$0
1909	0	0	0	\$0

1910	0	0	0	\$0
1911	0	0	0	\$0
1912	0	0	0	\$0
1913	0	0	0	\$0
1914	0	0	0	\$0
2001	0	0	0	\$0
2002	0	0	0	\$0
2003	0	0	0	\$0
2004	0	0	0	\$0
2005	0	0	0	\$0
2006	0	0	0	\$0
2007	0	0	0	\$0
2008	0	0	0	\$0
2009	0	0	0	\$0
2010	0	0	0	\$0
2011	0	0	0	\$0
2012	0	0	0	\$0
2101	0	0	0	\$0
2102	0	0	0	\$0
2103	0	0	0	\$0
2104	0	0	0	\$0
2105	0	0	0	\$0
2106	0	0	0	\$0
2107	1	0	0	(1)\$150
2108	0	0	0	\$0
2109	0	0	0	\$0
2110	0	0	0	\$0
2111	0	0	0	\$0
2112	0	0	0	\$0
2113	0	0	0	\$0

(1) On 1-8-2023 @ about 8:00 a.m., a student was cooking rice on the stove top when grease on electric burner caught fire. The fire was quickly extinguished with a fire safety blanket.

(2) On 3-19-2023 @ about 11:45 p.m., a student was cooking on a stove top when grease on an electric burner caught fire. The fire was quickly extinguished with a fire safety blanket.

Ford Center Housing Fire Statistics – Calendar Year 2023				
	Number of Fires	Number of Injuries	Number of Deaths	Property Value (\$)
<u>Residential Houses</u>				
Ash House	0	0	0	\$0
Balsam House	0	0	0	\$0
Birch House	0	0	0	\$0
Cedar House	0	0	0	\$0
<u>Residence Halls</u>				
Dorm	0	0	0	\$0
Dorm II	0	0	0	\$0

Fire Statistics for Calendar Year 2022

Houghton Campus Housing Fire Statistics – Calendar Year 2022				
	Number of Fires	Number of Injuries	Number of Deaths	Property Value (\$)
<u>Residence Halls</u>				
Douglass Houghton	0	0	0	\$0
McNair	1	0	0	(3) \$0
Wadsworth	1	0	0	(1) \$50
<u>Apartments</u>				
Hillside Place	0	0	0	\$0
<u>Daniell Heights</u>				
1801	0	0	0	\$0
1802	0	0	0	\$0
1803	0	0	0	\$0
1804	0	0	0	\$0
1805	0	0	0	\$0
1806	0	0	0	\$0
1807	0	0	0	\$0
1808	0	0	0	\$0
1809	1	0	0	(2) \$3,500
1810	0	0	0	\$0
1811	0	0	0	\$0
1812	0	0	0	\$0
1901	0	0	0	\$0
1902	0	0	0	\$0
1903	0	0	0	\$0
1904	0	0	0	\$0
1905	0	0	0	\$0
1906	0	0	0	\$0
1907	0	0	0	\$0
1908	0	0	0	\$0
1909	0	0	0	\$0
1910	0	0	0	\$0
1911	0	0	0	\$0
1912	0	0	0	\$0
1913	0	0	0	\$0
1914	0	0	0	\$0
2001	0	0	0	\$0
2002	0	0	0	\$0
2003	0	0	0	\$0
2004	0	0	0	\$0
2005	0	0	0	\$0
2006	0	0	0	\$0
2007	0	0	0	\$0
2008	0	0	0	\$0

2009	0	0	0	\$0
2010	0	0	0	\$0
2011	0	0	0	\$0
2012	0	0	0	\$0
2101	0	0	0	\$0
2102	0	0	0	\$0
2103	0	0	0	\$0
2104	0	0	0	\$0
2105	0	0	0	\$0
2106	0	0	0	\$0
2107	0	0	0	\$0
2108	0	0	0	\$0
2109	0	0	0	\$0
2110	0	0	0	\$0
2111	0	0	0	\$0
2112	0	0	0	\$0
2113	0	0	0	\$0

(1) On 5-21-2022 @ approximately 1:00 a.m., butter splashed onto a stove burner resulting in a small flame. A fire blanket was deployed, and the flame was extinguished.

(2) On 5-21-2022 @ approximately 8:51 p.m., smoke alarms activated and alerted an apartment resident of a stove fire in his kitchen. The stove top had been malfunctioning and ignited some grease in a pan on the stove. The resident smothered the flames with wet towels, but not before significant heat and smoke damage had occurred.

(3) On 9-29-2022 @ approximately 7:19 a.m., a small fire started on the gas char broiler in the McNair Hall kitchen due to grease build up. The cook quickly extinguished the flame with baking soda and covered it up. No damage occurred.

Ford Center Housing Fire Statistics – Calendar Year 2022				
	Number of Fires	Number of Injuries	Number of Deaths	Property Value (\$)
<u>Residential Houses</u>				
Ash House	0	0	0	\$0
Balsam House	0	0	0	\$0
Birch House	0	0	0	\$0
Cedar House	0	0	0	\$0
<u>Residence Halls</u>				
Dorm	0	0	0	\$0
Dorm II	0	0	0	\$0

Fire Statistics for Calendar Year 2021

Houghton Campus Housing Fire Statistics – Calendar Year 2021				
	Number of Fires	Number of Injuries	Number of Deaths	Property Value (\$)
<u>Residence Halls</u>				
Douglass Houghton	0	0	0	\$0
McNair	0	0	0	\$0
Wadsworth	0	0	0	\$0
<u>Apartments</u>				
Hillside Place	1	0	0	(1)\$0
<u>Daniell Heights</u>				
1801	0	0	0	\$0
1802	0	0	0	\$0
1803	0	0	0	\$0
1804	0	0	0	\$0
1805	0	0	0	\$0
1806	0	0	0	\$0
1807	0	0	0	\$0
1808	0	0	0	\$0
1809	0	0	0	\$0
1810	0	0	0	\$0
1811	0	0	0	\$0
1812	0	0	0	\$0
1901	0	0	0	\$0
1902	0	0	0	\$0
1903	0	0	0	\$0
1904	0	0	0	\$0
1905	0	0	0	\$0
1906	0	0	0	\$0
1907	0	0	0	\$0
1908	0	0	0	\$0
1909	0	0	0	\$0
1910	0	0	0	\$0
1911	0	0	0	\$0
1912	0	0	0	\$0
1913	0	0	0	\$0
1914	0	0	0	\$0
2001	0	0	0	\$0
2002	0	0	0	\$0
2003	0	0	0	\$0
2004	0	0	0	\$0
2005	0	0	0	\$0
2006	0	0	0	\$0
2007	0	0	0	\$0
2008	0	0	0	\$0

2009	0	0	0	\$0
2010	0	0	0	\$0
2011	0	0	0	\$0
2012	0	0	0	\$0
2101	0	0	0	\$0
2102	0	0	0	\$0
2103	0	0	0	\$0
2104	0	0	0	\$0
2105	0	0	0	\$0
2106	0	0	0	\$0
2107	0	0	0	\$0
2108	0	0	0	\$0
2109	0	0	0	\$0
2110	0	0	0	\$0
2111	0	0	0	\$0
2112	0	0	0	\$0
2113	0	0	0	\$0

(1) On 10-11-2021 @ 5:04 p.m., a flame momentarily appeared during cooking due to built-up grease on the stove burner. The flame went out by itself. A smoke alarm was activated, but no damage occurred.

Ford Center Housing Fire Statistics – Calendar Year 2021				
	Number of Fires	Number of Injuries	Number of Deaths	Property Value (\$)
<u>Residential Houses</u>				
Ash House	0	0	0	\$0
Balsam House	0	0	0	\$0
Birch House	0	0	0	\$0
Cedar House	0	0	0	\$0
<u>Residence Halls</u>				
Dorm	0	0	0	\$0
Dorm II	0	0	0	\$0

