



and remedy its effects. All College employees who are involved in the College's Title IX response receive specific instruction about respecting and safeguarding private information.

### **Retaliation**

Retaliation is prohibited under this policy. Retaliation is defined as any materially adverse action against a person who reports, complains about, or who otherwise participates in good faith in any manner related to this policy. Materially adverse action includes conduct that threatens, coerces, harasses or in any other way seeks to discourage participation in or activity under this policy. Retaliation does not include good-faith actions lawfully pursued in response to a report of Prohibited Conduct. Any person who believes they have experienced retaliation under this policy should contact the Title IX Coordinator who will forward any complaint of retaliation to the appropriate office for handling.

### **No Conflict of Interest or Bias**

Any individual carrying out this Policy shall be free from any actual conflict of interest or demonstrated bias that would impact the handling of this matter. Should the Title IX Coordinator have a conflict of interest, the Title IX Coordinator is to immediately notify the Vice President for Human Resources who will take the role of Acting Title IX Coordinator for purposes of carrying out the handling and finalization of the matter at issue. Should any investigator have a conflict of interest, the investigator is to notify the Title IX Coordinator upon discovery of the conflict.

### **Presumption of Non-Responsibility**

The decision to proceed with an investigation is not in and of itself a determination that the Respondent has engaged in the conduct as alleged. Any Respondent is presumed not responsible for the conduct that is the subject of the investigation, unless and until a decision of responsibility has been made upon the completion of the adjudication process.

### **Requests for Delays, and Extensions of Time**

The Title IX Coordinator may extend any deadlines within this Policy, for good cause. The Complainant and Respondent will be notified in writing of any extension, the reasons for it, and projected new timelines.

## **XI. RESOURCES**

An individual who seeks confidential assistance may do so by speaking with a licensed professional counselor through Turning Point, located in Counseling & Academic Advising in SG370 or at (586) 463-4430.

Information shared with a counselor from Turning Point, even if done on campus in Counseling & Academic Advising, is not considered a report to the College.

### **Community resources for victims of sexual misconduct include:**

#### **Macomb County Turning Point, Inc.:**

586.463.4430; 586.463.1771 (fax)

#### **Macomb County Crisis Center:**

586.307.9100

#### **Oakland County HAVEN:**

248.334.1274; 877.922.1274 (toll free); 248.334.1290 (TTY)

#### **Common Ground Sanctuary:**

24-hour crisis hotline 248.456.0909; 800.231.1127

#### **YWCA Interim House:**

313.861.5300

#### **National Domestic Violence Helpline:**

800.799.SAFE (toll free); 800.787.3224; TTY (toll free)

#### **National Sexual Assault Hotline:**

800.656.HOPE (4673)

#### **Child Abuse/Neglect:**

Macomb 877.412.6109 (toll free); Oakland 866.975.5010 (toll free); Wayne 800.716.2234

#### **Vulnerable Adult Abuse/Neglect:**

Macomb 877.412.6109 (toll free); Oakland 866.975.5010 (toll free); Wayne 800.716.2234

#### **End Violent Encounters (EVE) 24-hour Hotline:**

(517) 372-5572; EVE is a confidential community-based program providing supportive services to survivors of domestic abuse and sexual violence

## **XII. Training for Investigators, Hearing Officers, Hearing Panel, Appeals Officers, Title IX Coordinator**

All individuals involved in the Title IX response, investigation, hearing and appeals process receive training in accordance with 34 C.F.R. §106.45(b)(10)(i)(D). This training may be viewed at the College's Title IX website ([www.macomb.edu/titleix](http://www.macomb.edu/titleix)).



### XIII. Record Retention

The Office of the Vice President for Student Services will maintain all records relating to complaints and resolutions under this Policy for a period of seven (7) years.

*Approved by President's Council August 13, 2020*

#### Safety Tips

##### Preventing Acquaintance Rape

- It is never okay to force or coerce any individual to engage in sexual activity.
- Be aware that “force” can be emotional coercion, verbal pressure and intimidation as well as physical force.
- Trust your instincts, stand up for yourself, and be willing to “make a scene.”
- Support your friends. Intervene if you see them making decisions that are harmful to others or to self.
- Consent requires sober, verbal permission for each and every sexual activity.
- Consent cannot be legally given if one or both parties are intoxicated by alcohol or other drugs.
- Stalking is a crime. Stalking is defined as any unwanted contact between a stalker and their victim, which directly or indirectly communicates a threat or places the victim in fear. Stalking behaviors may include following a person, repeated and unwanted phone calls or email contact, and leaving gifts for their victims. Stalking is not flattery; it is a stalker’s attempt to control and exert power over their victims.