

Macomb Community College

ANNUAL COLLEGE SAFETY AND SECURITY REPORT FOR 2022

CAMPUS CRIME REPORT FOR:
CENTER CAMPUS, SOUTH CAMPUS, EAST CAMPUS, THE ADVANCED TECHNOLOGY CENTER AND M-TEC℠

2019–2021 STATISTICS WITH REQUIRED CLERY ACT POLICIES

A Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act report for calendar years 2019, 2020 and 2021. Released October 1, 2022.

Macomb Community College
Education • Enrichment • Economic Development
Discover. Connect. *Advance.*℠

www.macomb.edu • 866.Macomb1 (866.622.6621)

POLICE
OFFICER
TUEBOR
MACOMB COLLEGE

Contents

Introduction 3
The Security Report 4
Macomb Community College
Police Mission Statement and Purpose 4
Macomb Community College Police
Authority and Jurisdiction 5
Reporting of Crimes and Emergency Situations 6
Crime Prevention Information 8
Issuing Timely Warnings 10
Emergency Evacuation Procedure 10
Total Campus Evacuation 10
Evacuation and Safety Drills 11
Michigan Sex Offender Registration Law and Information 11
Security and Access to the Campus Facilities 11
College and Community Resources 12
Outside Agencies 12
College Police Service—24 Hours a Day 13
College Policy on Weapons 14
Substance Abuse Policy 14
Drugs and Alcohol: Know the Risks 14
Drug Free Schools and Communities Act 28
Title IX—Sexual Harassment, Sexual Misconduct and Prevention
Policies and Procedures for Responding to Reports of
Sexual Harassment and Sexual Misconduct 29
- Disclosure of Crime Statistics—Clery Act 45
- Hate Crimes 56
- Crime Definitions: 57
- Notification of Final Results 58
- Geography Definitions from the Clery Act 58
- Appendix 59
- Sex Offenses—Definitions 59

Macomb Community College Board of Trustees 71
Campus Locations 74
Center Campus 74
South Campus 74
East Campus 74
Advanced Technology Center (ATC) 74
Michigan Technical Education Center (M-TECsm) 74
Macomb University Center 74
Macomb Administrative Center 74

The listed policies apply to all campus locations unless specifically stated otherwise.

POLICE
OFFICER
TUEBOR
MACOMB COLLEGE



William Leavens
Police Chief

Introduction

Message from the Macomb Community College Police Department

The Macomb Community College Police Department welcomes you to its campus locations, where our number one priority is the safety of our students, employees, guests and visitors. The College Police Department provides a proactive, professional force of police and safety officers, and it has an extensive menu of campus safety resources through its services, crime prevention and awareness programs, presentations, initiatives and collaborative community partnerships.

Effective campus safety and security is the combined responsibility of the entire Macomb Community College campus community. Therefore, we encourage all students, employees, guests and visitors to invest in creating and maintaining a safe and secure educational campus environment by being active, knowledgeable participants in their own personal safety. You are encouraged to read, digest and use the wealth of information and safety tips found in the pages of this Annual Security Report or visit our website at: www.macomb.edu, select About Macomb, College Police. The Annual Security Report also provides Title IX information on sexual harassment, sexual misconduct and prevention.

Stay alert, stay informed. Don't second-guess suspicious activity. Report it immediately and you will be assisting us in our collective efforts to maintain Macomb Community College as a safe and secure place to build an exciting, successful future.

Our objective is to provide a safe college community for students, faculty, staff and visitors to learn, work and visit.

Macomb Community College
Police Department

The Security Report

The Macomb Community College Annual Security Report is required by federal law and contains policy statements and crime statistics for the college. The policy statements address the college's policies, procedures and programs concerning safety and security. Included in this report are crime statistics for 2019, 2020 and 2021. These crime statistics reflect certain types of crimes that were reported to have occurred on campus or off campus within the confines of buildings or property owned or operated by the college. Public property within or immediately adjacent to the aforementioned college campuses are also included in these crime statistics. The crime categories listed are required to be reported by the Jeanne Clery Act of 1990, also known as the Crime Awareness and Campus Security Act. The Annual Security Report is available online at http://www.macomb.edu/resources/college-police/attachments/Annual-College-Safety-Security-Report.pdf. A limited number of printed copies are available at South and Center Campus College Police locations.

Macomb College Campus Locations

Macomb Community College consists of four separate campus locations:

South Campus, located at 14500 E 12 mile Road Warren Michigan 48088

Center Campus, Located at 44575 Garfield Road Clinton Township Michigan 48038

East Campus, located at 21901 Dunham Road Clinton Township, Michigan 48035

Advanced Training Center (ATC), located at 34950 Little Mack Avenue Clinton Township Michigan 48035

MTEC℠ Campus, located at 7900 Tank Avenue Warren Michigan 48092

Macomb Community College has no non-campus locations of student organizations officially recognized by the institution or non-campus housing facilities.

Macomb Community College Police Mission Statement and Purpose

Mission Statement: The College Police Department is charged with the responsibilities of providing police, fire and security services within the confines of the Macomb Community College campuses. The Macomb College Police do not have any policies in place for the monitoring or recording of student activity off campus.

Purpose:

1. The College Police will provide police services that will include prevention, control, assistance, apprehension and prosecution.
2. The College Police will provide fire security services that will include prevention, detection, record-keeping and extinguishing within the capabilities of the Department.
3. The College Police will provide security services for all campus buildings, lands and property therein.
4. The College Police will participate in activities designed to improve its overall effectiveness and compatibility with the campus community at large and with other criminal justice agencies.
5. The College Police will act in every instance in accordance with the policies and regulations of the college.



Macomb Community College Police Authority and Jurisdiction

The Macomb Community College Police Department is a professional, full-service law enforcement agency with responsibility and enforcement authority to provide police services to all campus locations and properties owned or controlled by Macomb Community College. Its sworn officers include the Chief, Lieutenants, Sergeants and Police Officers. All sworn members of the department have arrest authority on all properties owned or controlled by Macomb Community College. College Police authority is granted by action of the Macomb College Board of Trustees in accordance with the Community College Act of 1996, as amended. All sworn officers are certified by the Michigan Commission of law Enforcement standards. Support personnel consist of public service officers (no arrest authority), communications/dispatch staff and administrative assistants.

Certified officers of the Macomb Community College Police Department have complete police authority to apprehend and arrest anyone involved in illegal acts on campus. All criminal offenses, as well as violations of college rules and regulations that are committed by college students, are reported to the Dean of Student Success for possible disciplinary action or sanctions.

All criminal offenses are investigated by the College Police Department. Assistance may be requested from outside police agencies, as needed. Officers within the police department have received additional training and have been certified as evidence technicians. Evidence collected is turned over to the Michigan State Police crime laboratory for analysis. Upon completion of a criminal investigation, warrant requests are submitted to the Macomb County Prosecutor's Office for review.

The Macomb Community College Police work closely with local, state and federal police agencies and have direct radio communications with surrounding police departments. By mutual agreement with state and federal agencies, the Macomb Community College Police maintain LEIN (Law Enforcement Information Network) terminals at each College Police station. Through this system, police personnel can access the National Crime Information Computer and retrieve database information from the Michigan State Police and Michigan Secretary of State.

Macomb College Police has a memorandum of understanding with other police agencies in the form of a mutual aid agreement for emergency situations. Macomb Community College has no agreements in place with local, state or federal agencies regarding the investigation of alleged criminal offenses.



Reporting of Crimes and Emergency Situations

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety-related incidents to the Macomb Community College Police Department in a timely manner. Crimes should be reported to the Macomb Community College Police Department to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. All crime reports will be investigated and placed into the daily crime log. Macomb Community College has a procedure for voluntary, confidential reporting of crimes as described in section 4.4 of the Title IX section. Violations of the law will be investigated, and when appropriate, referred to the Dean of Student Success and/or the Title IX coordinator. When a potentially dangerous threat to the college community arises, timely reports or warnings will be issued through established methods of communication.

The Macomb Community College Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously. Witnesses or any persons having knowledge of crimes are encouraged to report these crimes to the Macomb College Police department. Crime reports are encouraged from any person if the victim is not able to make the report. Reports will be accepted in any manner, including in person or writing, at any Macomb Community College Police Department facility. Reports will be accepted anonymously, by phone, via email or on the institution's website. Macomb Community College prohibits the crimes of domestic violence, dating violence, sexual assault and stalking. The Macomb College Police department has no policy to make voluntary confidential reports.

Members of the College Police command staff attend monthly county-wide investigators' meetings, as well as a monthly police chiefs' meeting to exchange ideas and discuss issues which may be of concern to the Macomb Community College community.

To report a crime, emergency situation, or suspicious activity at any campus location, contact the Macomb Community College Police at:

Center Campus, I Building, Rm. 103, 586.445.7135
South Campus, K Building, Rm. 340, 586.445.7135
911 from any college phone

College Police phones are staffed 24 hours a day, seven days a week. Exterior phones that are designated by blue lights are located adjacent to parking areas at all campuses. Persons calling 911 from cell phones will be connected to a local off-campus police agency that will coordinate police response. Any suspicious activity or person seen in the parking lots, or loitering around vehicles or buildings, should be reported to the Macomb Community College Police Department. According to the Clery Act, the college has



designated campus security authorities throughout the institution.

The following are locations and contact information for specific Campus Security Authorities that incidents can be reported to:

CENTER CAMPUS:		
College Police	586.445.7135	Center Campus, I Building
Manager, Counseling & Academic Advising	586.226.4993	Center Campus, H105
Dean, Health & Public Services	586.498.4124	Center Campus, E219
Dean of Student Success	586.445.7408	Center Campus, H114
Dean of University Relations	586.263.6266	University Center, UC1-201
EAST CAMPUS:		
Director of the Public Service Institute	586.498.4108	East Campus, 163
M-TEC[SM]:		
Director, Workforce & Continuing Education	586.498.4100	M-TEC[SM], 104
SOUTH CAMPUS:		
College Police	586.445.7135	South Campus, K324
Manager, Sports & Expo Center	586.445.7538	South Campus, P149
College Athletic Director	586.445.7119	South Campus, P115
Director of Veteran Services	586.445.7254	South Campus, G218
Title IX Coordinator	586.445.7242	South Campus, G316
ADVANCED TRAINING CENTER (ATC):		
ATC Operations Manager	586.445.7117	ATC B-101-2
ATC Dean	586.445.7515	ATC B-101-11
ATC Associate Dean	586.445.7638	ATC B-101-8

Crime reports made to the above listed campus security authorities will be evaluated for timely warnings, included in the annual statistics and daily crime log. Additional college staff members have been identified as Campus Security Authorities based on their role with students.

Macomb Community College does not employ pastoral counselors or professional counselors and has no policy for reporting of crimes on a voluntary, confidential basis for the inclusion in the annual disclosure of crime statistics or for issuing timely warnings to these persons.

Behavioral Intervention

Macomb's Behavioral Intervention Team is responsible for identifying students at risk to themselves and/or others so that it may initiate appropriate interventions for the well-being of the student and the safety of the campus community.

To fulfill its purpose, the team relies on students, staff and visitors to report any unusual behaviors or situations encountered on one of Macomb's campuses. The Reporting Process provides the necessary information for filing a behavioral concern report.

Report a Concern

The Behavioral Intervention Team consists of:

Associate Dean of Student Success (Co-Chair)
Associate Dean of Counseling and Academic Advising (Co-Chair)
College Police Representatives
Faculty Representatives
Special Services Counselor
Academic Counselor
For more information, contact BIT@macomb.edu

Crime Prevention Information

General Crime Prevention:

The Macomb Community College Police Department is continually involved in researching methods to improve all aspects of police work. These include utilization of digital video cameras, electronic door monitors/alarms, and emergency telephones with camera monitoring systems.

Dissemination of current crime trends, incidents and statistics is achieved by printing them in student publications, including the Schedule of Classes. Composite drawings of suspects involved in campus crime incidents, with accompanying articles, are published in the local newspapers, posted on bulletin boards and entered into the college electronic mail system if the seriousness of the incident warrants.

In addition to crime prevention, other services such as lost and found procedures, handicap parking information, after-hours building access, and procedures concerning emergency weather and fire are provided. Direction for help in obtaining alcohol/drug abuse assistance, spousal or child abuse, and emergency shelter information is available. Assistance will also be provided in locating towing companies for vehicle service.

Security Awareness Programs:

Members of the College Police provide security awareness and basic first aid instruction to college staff personnel on a regular basis at both Center and South Campus. In 2020, two (2) presentations were conducted between the two campuses. The College Police also provide security awareness training to students upon request at Center and South Campus. In 2020, five (5) presentations were conducted between the two campuses. Security awareness information is provided at student orientation events and provided specifically to all early entry students each year. Presentations can be requested by student or staff groups through the College Police and can be addressed to specific security awareness needs. Brochures and other crime prevention related materials are available at Center and South Campus College Police departments.

Bystander intervention is strongly encouraged by Macomb Community College. Safe bystander intervention involves the following five basic steps:

- Notice the event
- Interpret the situation as a problem
- Assume personal responsibility
- Know how to help
- Step up!

Bystander Intervention strategies and tips are available at the College Police office locations at each campus.

No security awareness programs took place in the year 2021.

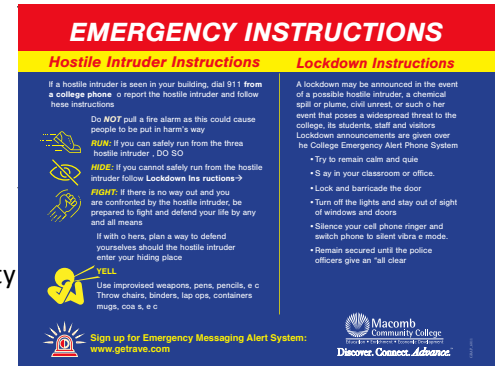
The most common mistakes people make regarding personal safety and property loss are:

Walking alone to an unlocked vehicle, entering, and then looking for car keys, leaving oneself vulnerable to danger.

1. Leaving books and personal property in plain view inside vehicles, which are many times unlocked.
2. Overindulging in alcoholic beverages and becoming vulnerable to date rape or other dangers.
3. Driving intoxicated, endangering your life and the lives of others.
4. Leaving purses, book bags and laptop computers unattended in classrooms, restrooms and library tables or study cubicles.
5. Leaving lockers and desks unlocked.
6. Leaving driver's license and credit cards in library, bookstore or at ATMs.

Emergency Procedure Manual:

- Details your response to a variety of situations and circumstances.
- Faculty and staff can download the manual from my.macomb.edu.
- Is distributed to students (i.e., orientation, classroom).
- Is posted on www.macomb.edu.



Crime Tips:

- Do not walk alone at night, and do not work or study in deserted areas or empty
- Use the "buddy" system or call Macomb Community College Police for escorts.
- Keep purses, wallets and other property with you at all times.
- Mark your books with your name and a hidden code number on a specific page for identification in case of loss or theft.
- Look for College Police officers on marked police bikes or marked patrol vehicles for help or to report any suspicious situations.



Emergency Notification:

Upon confirmation of a significant emergency or dangerous situation causing an immediate threat to the health or safety of any campus community, an emergency notification will be sent out per college police department policy. College police policy will consider assistance to a victim, or ability to contain, mitigate, or respond to the emergency.

Emergency notifications are sent out to the affected campus locations via the emergency phone system. A college wide notification is also sent out via the Rave emergency notification system. The Rave emergency notification system activates messages via text, phone calls, and email.

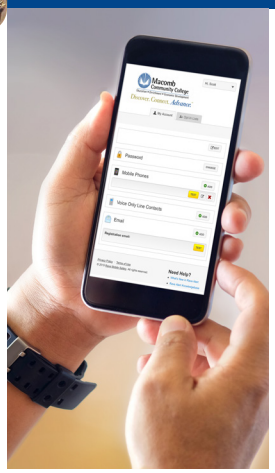


Visitors to the college can use a short code system to activate access these messages. These visitors can text MCCvisitor to 67283. This short code opt in is made available to visitors using signage at events and notification to visitor groups. Additional public notifications can be made through public address systems are available in areas of the college hosting events.

The College police department staffs a dispatch center 24 hours a day. Information of an emergency nature received by dispatchers is evaluated by College Police supervisors to determine confirmation of the emergency and identify the affected college campus locations. Messages have been developed by the college police command staff and vice president of college advancement and community relations. These messages can be sent immediately by all college full time staff members. All emergency notification messages require, by policy to be followed up by updates. Criminal incidents determined to require an emergency notification will not be evaluated for a timely warning.

In event of a situation requiring the closure of a college building or campus, staff and students will be notified using the following methods:

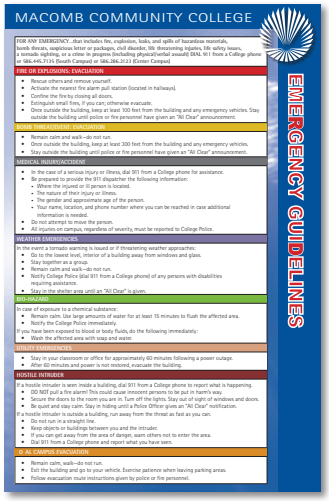
- The College emergency alert phone system will send announcements of the telephone throughout the College.
- Macomb's web site, www.macomb.edu, will display the emergency message. Remember to refresh the site to view updated information.
- The emergency messaging system (rave) will be activated and is linked to Twitter and Facebook
- In addition, an all-staff email will be sent out.



Issuing Timely Warnings

In the event that a situation arises, whether on or off campus that, in the judgment of the Chief of the College Police or his/her designee, constitutes an ongoing or continuing threat, a campus- wide "timely warning" will be issued. All crimes that are required to be reported by the Clery Act are evaluated for a continuing threat to the college community. The timely warning process will involve the Chief of College Police in consultation with the Vice President of College Advancement and Community Relations. Timely warning notices will be sent out to the college community in cooperation with the Marketing Department by use of one or more of the following methods. All notices will be provided in a timely manner without identifying victims of crimes. Notices will include information to enhance safety and prevent similar occurrences.

- Website (www.macomb.edu)
- Informacast Phone Alert System
- Emergency Messaging System
- The College-Wide Email System RAVE
- Social Media



Emergency Evacuation Procedure

Announcements of the need to evacuate a building are made over the College Emergency Alert Phone System.

Unless instructions are given not to use elevators, persons with disabilities should use the building elevators to reach the ground floor. Able-bodied persons capable of using stairs should avoid the elevators, making the elevators more available to persons with disabilities.

In the event elevators cannot be used, persons with disabilities should go to the stairway landings and wait for emergency rescue personnel. If a student has a personal attendant, they should discuss emergency evacuation plans with their attendant in advance. Emergency personnel responding to the building will be checking the stairway landings upon their arrival for persons with disabilities.

Stay together as a group. Faculty should be prepared to account for their students and notify College Police **(dial 911 from a college phone)** of any persons with disabilities requiring assistance. If possible, have someone stay behind with persons with disabilities until emergency personnel arrive.

Remain calm and walk—do not run.

Once outside the building, keep at least 100 feet from the building and any emergency vehicles. Move toward the outer edge of the campus (i.e. South Campus—move outward to 12 Mile, Hayes, Bunert or Martin; Center Campus—move toward Garfield, Hall Road, condos or hospital; East Campus—move toward Dunham; M-TEC^{SM}—move toward 11 Mile or Van Dyke)

Stay outside the building until police or fire personnel have given an "All-Clear" announcement.

Total Campus Evacuation

Announcements of a total campus evacuation will be made over the College Emergency Alert Phone System. **Remain calm and walk—do not run.**

Unless instructions are given not to use elevators, persons with disabilities should use the building elevators to reach the ground floor. Able-bodied persons capable of using stairs should avoid the elevators, making the elevators more available to persons with disabilities.

In the event elevators cannot be used, persons with disabilities should go to the stairway landings and wait for emergency rescue personnel. If a student has a personal attendant, they should discuss emergency evacuation plans with their attendant in advance. Emergency personnel responding to the building will be checking the stairway landings upon their arrival for persons with disabilities.

Faculty—be prepared to account for all students and notify College Police **(dial 911 from a college phone)** of any persons with disabilities requiring assistance. If possible, have someone stay behind with persons with disabilities until emergency personnel arrive.

- Exit the building and go to your vehicle.
- Exercise patience when leaving parking areas.
- Follow evacuation route instructions given by police or fire personnel.

Evacuation and Safety Drills

The Macomb College Police conduct 2 emergency / safety drills each year.

On May 11th 2022 at 9:30am a college wide shelter in place exercise was conducted. The shelter in place exercise involved use of the college wide notification system (RAVE) and the college phone notification system (informacast). This exercise was announced to the college community prior to scheduled date.

On September 7th and 8th 2022 a fire alarm evacuation exercise was conducted. This exercise was announced and conducted for each building. Each college building had a scheduled time for this exercise.

The purpose of these exercises is to test the emergency notification systems, assess communications, assess the police department response, and determine the staff and student responses. Building coordinators (college staff members) have been identified for each college building. Exercise planning involves the following actions.

In addition to the planned exercises the College Police test the emergency phone notification system prior to the fall and winter semester. System issues are reported for repair.

- Updating the building coordinators list.
- Checking building safety plans.
- Holding building coordinators training.
- Coordinating the use of the college wide notification system
- Identifying the proper messages to use
- Informing key College staff.

The exercise is held per the established schedule. An after-action report is completed and reviewed by the Chief of College police.

Michigan Sex Offender Registration Law and Information

The “Campus Sex Crimes Prevention Act” is a federal law enacted on October 28, 2000 that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

In the state of Michigan, convicted sex offenders are required to contact the police agency where they reside. The Macomb Community College Police do not provide registration or verification services to registered sex offenders.

Updated sex offender information can be found on the Michigan Public Sex Offender Registry at www.mipsor.state.mi.us/PSOR_Search.aspx.

Security and Access to the Campus Facilities

The Macomb Community College Police are on duty 24 hours a day, 365 days a year. Ingress and egress of campus buildings and property are monitored by College Police through patrols, digital video cameras and electronic alarms. After-hours access requires authorization and sign-in with College Police. Macomb Community College has no residential facilities.

Security considerations such as lighting and sidewalks on campus are monitored by the College Police and the Plant Operations department. Issues affecting security will be reported to the College Police. These reports are then forwarded to the proper college departments for appropriate action.

College and Community Resources

Macomb Community College Counseling and Academic Advising Office

Center Campus (CC-H103) . . . . . 586.445.7999 (Menu, Press 2)
South Campus (SC-G370) . . . . . 586.445.7999 (Menu, Press 2)

Macomb County Health Department

Mt. Clemens 586.469.5235
St. Clair Shores 586.466.6800
Warren 586.465.8090

Macomb County Crisis Center . . . . . 586.307.9100 *(24 HOURS)*
800.273.8255 *(24 HOURS)*

Macomb County Office of Substance Abuse 586.948.0222

Macomb County Youth Interim Care Facility—24 Hour 586.465.1212

Macomb County Prosecutor. 586.469.5350

Outside Agencies



Mark Hackel
Macomb County Executive

Child Protective Services—24-Hour Vulnerable Adults' Hotline 855.444.3911

Salvation Army MATTS—24 Hour 586.754.7400
Salvation Army Warren 586.754.7400
Salvation Army Mt. Clemens 586.469.6712

Poison Control Center 1.800.222.1222

Turning Point 586.463.6990

Michigan HIV/STD 1.800.872.2437

Families Against Narcotics 586.438.8500

Crime Victims Compensation

If you have experienced financial loss due to personal injury as a result of being a victim of crime, you may apply for Crime Victims' Compensation. For further information on benefits that may be available to you, contact:

Crime Victim Services Commission
320 South Walnut, Lansing, MI 48913 . . . . . 517.373.7373
or contact the Crime Victims' Rights Unit at: 586.469.5675

Domestic Violence

If you have been a victim of domestic violence and would like information about emergency shelter, counseling and support services, you may contact:

Turning Point, Inc.—Domestic Violence Shelter (24-hour crisis line). . 586.463.6990

Sexual Assault

If you have been a victim of sexual assault and would like information about medical assistance, counseling and support services, you may contact:

Turning Point's Sexual Assault Program 586.463.6990
Sexual Assault Nurse Examiner 586.463.6990

Personal Protection Orders



Your legal rights include the right to go to court and file a petition requesting a Personal Protection Order to protect you and other members of your household from domestic abuse. The Order would restrain or enjoin an individual from one or more of the following:

1. Entering onto the premises.
2. Assaulting, attacking, beating, molesting or wounding you.
3. Threatening to kill or physically injure you.
4. Removing minor children from you, except as otherwise authorized by a custody or visitation order issued by a court of competent jurisdiction.
5. Purchasing or possessing a firearm.
6. Interfering with your efforts to remove your children or personal property from premises that are solely owned or leased by the individual to be restrained.
7. Interfering with you at your place of employment or engaging in conduct that impairs your employment relationship or environment.
8. Engaging in any other specific act or conduct that imposes upon or interferes with your personal liberty or that causes a reasonable apprehension of violence.

You do not need an attorney to obtain a Personal Protection Order. Forms are available at the Macomb County Clerk's Office. If you would like assistance, you may contact:

P.P.O. Office
586.469.7494
Macomb County Court Building
40 N. Main, 1st Floor
Mt Clemens, MI 48043

College Police Service—24 Hours a Day

- Campus Patrol
- Emergency Assistance, Weather, Fire, Hazardous Materials
- Crime Reporting and Investigation
- Accident Reporting
- Emergency First Aid, CPR and Automated External Defibrillator
- Safety and Crime Prevention Presentations
- Distribution of Crime Prevention Materials
- Escort to Vehicle
- Lost and Found
- Assistance with Vehicle Lock Outs
- Battery Jump Starts

Macomb Community College Police Department

Center Campus (CC-I104) 586.445.7135
South Campus (SC-K340) 586.445.7135

College Policy on Weapons

No person, other than law enforcement personnel or a person authorized by the Chief of the Macomb Community College Police Department, or his or her designee, shall possess a weapon on property owned, leased or otherwise in the possession of Macomb Community College.

As used in this policy, the term "weapon" shall mean: (1) firearms, including tasers and stun-guns; (2) explosives or explosive devices including, but not limited to; fireworks, firecrackers, or firearm ammunition; (3) knife, stabbing instrument, brass knuckles, blackjack, club: (4) other object specifically designed or customarily possessed for use as a weapon; (5) an object or substance not normally considered a weapon that is used in a threatening or harmful manner likely to cause bodily injury or death.

Substance Abuse Policy

Campus Rules and Regulations

Possession or use of alcohol or drugs on Macomb Community College's campuses or at any college function is prohibited. The possession or use of marijuana in any form is prohibited. The following excerpts from the *Macomb Community College Handbook on Rights and Responsibilities* explain the college's regulations regarding alcohol and drugs:

Article I—Alcoholic Beverages

Section a: No person shall be under the influence of, or in possession of, alcoholic beverages while on college grounds, except as noted in section c.

Section b: Possession shall consist of having an open or unopened container of alcoholic beverage on the person, or in the vehicle of occupancy, immediately before challenge by an enforcing official.

Section c: Exception to the consumption of alcoholic beverages on campus is permitted only by special authorization granted through the Office of the Vice President for College Advancement and Community Relations.

Article V—Drugs

No person shall use, possess, distribute or sell drugs except as expressly permitted by law.

Violation of any rule or regulation regarding drugs or alcohol may be reported the College Police department 24 hours and day 7 days a week at 586.445.7135.

Drugs and Alcohol: Know the Risks

It's said, "you are what you eat." Well, you are what you inhale, inject and drink, too. Drug and alcohol abuse are hazards to your physical and emotional health. Specific effects differ from person to person depending on the drug used, the amount and the conditions under which the drug is used. But every time you inhale, inject, or raise a glass, you put your body and mind at risk.

- Chronic use of drugs and alcohol can lead to physical and psychological dependency.
- Use of cocaine or crack can result in irregular heartbeat, radical and violent changes in behavior and death.
- If drugs are injected, the user risks AIDS, hepatitis and other infections.
- Long-term abuse can lead to organ damage, such as cirrhosis of the liver seen in alcohol abuse, or lung and mouth cancer as a result of marijuana use.
- Hallucinogenic drugs, such as LSD, cause delusions, mental distortions, and can result in violent reactions and death.

Additionally, since illicit drugs vary in form, purity and strength, the drug user constantly risks an overdose, which can cause psychosis, convulsions, coma or death. But abusers don't just endanger their own lives. They jeopardize the health and lives of everyone around them when their drug and alcohol use results in accidents in the workplace and on the road.

Disciplinary Sanctions

Disciplinary action will be taken by the college for violations of these rules. Depending on the nature of the violation, it may take the form of a **reprimand; restrictions on activities or privileges; restitution; denial of honors, certificate or degree; probation; temporary or permanent suspension from a class or program; dismissal from the college; or other measures appropriate under the circumstances of the case.**

Legal Sanctions

In addition to these college regulations, all applicable township, city, county, state and federal laws, statutes and regulations regarding drug and alcohol use shall apply on all college property and at all college-sponsored events. State underage drinking laws are enforced by the college police on campus. State underage drinking laws are enforced by the College Police on campus. State and federal drug law violations are investigated and turned over to the appropriate prosecutor's office for prosecution.

Michigan underage drinking laws under 21? It's illegal for anyone under 21:

- To have alcohol in their possession at any time, regardless of whether they've consumed any of it.
- To possess or transport an unopened alcohol container in a motor vehicle, regardless if it is in the driver or passenger area. Both the driver and the passenger can be charged whether or not they consumed the alcohol.
- To use a fake ID to obtain alcohol.
- To allow anyone to use their motor vehicle after they have been drinking.
- If you are under 21, you can get an MIP if you are just holding an alcoholic beverage. Your future could be impacted by MIP citations or OWI arrests. Many employers, colleges, and military recruiters take alcohol-related offenses into consideration when hiring or accepting applicants.

Under 21? If you get caught driving with any alcohol in your body the first time:

- 30-day restricted driver's license
- $125 license reinstatement fee
- Four points on your driving record
- Fines up to $250
- Community service
- $500 Driver Responsibility payment for two years

The second time within seven years:

- 90-day suspension of your driver's license
- $125 license reinstatement fee
- Fines up to $500
- Community service

If you are caught driving with a .08 or above blood alcohol content, you may be charged with the adult crime of Operating While Intoxicated (OWI). These convictions remain on a driving record for a lifetime. If you are caught driving with a .17 or above blood alcohol content, you may be charged with an adult crime that carries stiffer penalties. This conviction remains on a driving record for a lifetime.

- $500 Driver Responsibility payment for two years
- Substantial insurance rate increase or cancellation
- Up to 93 days in jail

Under 21? If you get caught with alcohol in your possession minor in possession (MIP)

THE FIRST TIME:

- Civil infraction
- Fines up to $100
- Substance abuse screening/assessment at your expense
- If you are under 18, your parents will be notified
- Community service
- No deferral possible

THE SECOND TIME:

- Misdemeanor
- Fines up to $200
- Substance abuse screening/assessment at your expense
- If you are under 18, your parents will be notified
- Community service
- Deferral possible
- License shall be suspended 90 days: restriction after 30 days
- 30 days in jail possible upon violation of your probation or failure to pay fines

THE THIRD TIME:

- Misdemeanor
- Fines up to $500
- Substance abuse screening/assessment at your expense
- If you are under 18, your parents will be notified
- Community service
- Deferral possible
- License shall be suspended 1 year; restriction after 90 days
- 60 days in jail possible upon violation of your probation or failure to pay fines

Michigan Marijuana Laws

Possession

- It is legal for adults to possess up to 2.5 ounces of marijuana in public in Michigan, with no more than 15 grams being cannabis concentrate.

Sale

- Adults in Michigan are permitted to transfer up to 2.5 ounces of marijuana to another adult, as long as nothing else of value changes hands and the transfer is not advertised to the public.
- Selling any amount of marijuana is a felony. The sale of less than five kilograms is punishable by up to four years in prison and a maximum fine of $20,000.
- Sale of between five and 45 kilograms, meanwhile, comes with a maximum penalty of seven years in prison and a fine of $500,000. If the weight is 45 kilograms or more, the top prison term is 15 years while the top fine is a massive $10 million.

Offense	Penalty	Incarceration	Max. Fine
Possession for Personal Use			
Up to 2.5 oz	No Penalty	None	$0
Up to 10 oz in the home	No Penalty	None	$0
More than 2.5 oz up to 5 oz (first offense)	Civil Infraction	None	$500
More than 5 oz (first offense)	Misdemeanor	None	$500
Sale or Distribution			
Distribution of less than 2.5 oz without remuneration	No Penalty	None	$0
Distribution of less than 5 oz without remuneration	Civil Infraction	None	$ 500
Sale of less than 5 kg	Felony	4 years	$20,000
45 kg or more	Felony	15 years	$10,000,000

Federal Marijuana Laws

- Despite medical cannabis laws in 46 states, cannabis is still illegal under federal law. The federal government regulates drugs through the Controlled Substances Act (CSA) (21 U.S.C. § 811), which does not recognize the difference between medical and recreational use of cannabis. These laws are generally applied only against persons who possess, cultivate, or distribute large quantities of cannabis.
- Under federal law, cannabis is treated like every other controlled substance, such as cocaine and heroin. The federal government places every controlled substance in a schedule, in principle according to its relative potential for abuse and medicinal value. Under the CSA, cannabis is classified as a Schedule I drug, which means that the federal government views cannabis as highly addictive and having no medical value. Doctors may not "prescribe" cannabis for medical use under federal law, though they can "recommend" its use under the First Amendment.

Warren Michigan City Ordinance MIP

(Applies to South Campus and M-TEC)

Sec. 4–5. – Unlawful purchases, consumption or possession by persons under twenty-one (21).

(a) A person less than twenty-one (21) years of age shall not purchase or attempt to purchase, consume or attempt to consume, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content except as provided in this section. A person less than twenty-one (21) years of age who violates this subsection is guilty of a misdemeanor, punishable by the following sanctions and is not subject to the sanctions prescribed in MCL 436.1909:

(1) For a first violation, by a fine of not more than one hundred dollars ($100.00). A court may order a person less than twenty-one (21) years of age under this subdivision to perform community service, participation in substance abuse prevention services or substance abuse treatment and rehabilitation services and/or to undergo substance abuse screening at his or her own expense.

(2) For a second violation, by imprisonment for not more than thirty (30) days but only if the person less than twenty-one (21) years of age has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, by a fine of not more than two hundred dollars ($200.00), or both. The court may order the person under this subdivision to perform community service, participation in substance abuse prevention services or substance abuse treatment and rehabilitation services and/or undergo substance abuse screening and assessment as his or her own expense.

(3) For a third or subsequent violation, by imprisonment for not more than sixty (60) days but only if the person less than twenty-one (21) years of age has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, by a fine of not more than five hundred dollars ($500.00), or both. The court may order the person under this subdivision to perform community service, participation in substance abuse prevention services or substance abuse treatment and rehabilitation services and/or undergo substance abuse screening and assessment at his or her own expense.

(b) When a person who has not previously been convicted of a violation of subsection (a) pleads guilty to a violation of subsection (a), the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place the person on probation upon terms and conditions that include, but are not limited to, the sanctions set forth in subsection (a)(1) of this section and payment of a probation supervision fee as prescribed in section 3c of chapter XI of the Code of Criminal Procedure, 1927 PA 175, MCL 771.3c. Upon violation of a term or condition of probation, the court may enter a plea of guilt and proceed as otherwise provided by law. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualifications of disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for second or subsequent convictions under subsection (a)(2) and (3) of this section. There may be only one (1) discharge or dismissal under this subsection as to an individual. The records and identifications division of the department of state police shall retain a nonpublic record of an arrest and discharge or dismissal under this subsection. This record shall be furnished to either or both of the following:

(1) To a court, prosecutor, or police agency upon request for the purpose of showing that a defendant in a criminal action under subsection (a) has already once utilized this subsection.

(2) To the department of corrections, a prosecutor, or a law enforcement agency, upon the department's, a prosecutor's, or a law enforcement agency's request, subject to all of the following conditions:

(i) At the time of the request, the individual is an employee of the department, the prosecutor, or the law enforcement agency, or an applicant for employment with the department, the prosecutor, or the law enforcement agency.

(ii) The record is used by the department, the prosecutor, or the law enforcement agency only to determine whether an employee has violated his or her conditions of employment or whether an applicant meets criteria for employment.

(c) A violation of subsection (a) of this section successfully deferred, discharged, and dismissed under subsection (b) is considered a prior violation for the purposes of subsection (a)(2) and (3).

(d) The secretary of state shall suspend the operator's or chauffeur's license of an individual convicted of violating subsection (a) or (f) as provided in section 319 of the Michigan Vehicle Code, 1949 PA 300, MCL 257.319.

(e) Preliminary breath test requested. A peace officer who has reasonable cause to believe a person less than twenty-one (21) years of age has consumed alcoholic liquor or has any bodily alcohol content may request the person to submit to a preliminary chemical breath analysis. A police officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a criminal prosecution to determine whether the minor has consumed or possessed

alcoholic liquor.

(f) Fraudulent identification. A person who furnishes fraudulent identification to a person less than twenty one (21) years of age, or notwithstanding subsection (a), a person less than twenty-one (21) years of age who uses a fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor.

(g) A law enforcement agency, upon determining that a person less than eighteen (18) years of age who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, allegedly consumed, possessed, purchased alcoholic liquor, attempted to consume, possess, or purchase alcoholic liquor, or had any bodily alcohol content in violation of subsection (a) shall notify the parent or parents, custodian, or guardian of the person as to the nature of the violation if the name of a parent, guardian or custodian is reasonably ascertainable by the law enforcement agency. The law enforcement agency shall notify the parent, guardian, or custodian not later than forty-eight (48) hours after the law enforcement agency determines that the person who allegedly violated subsection (a) is less than eighteen (18) years of age and not emancipated under 1968 PA 293; MCL 722.1 to 722.6. The law enforcement agency may notify the parent, guardian, or custodian by any means reasonably calculated to give prompt and actual notice including, but not limited to, notice in person, by telephone, or by first-class mail. If an individual less than seventeen (17) years of age is incarcerated for violating subsection (a), his or her parents or legal guardian shall be notified immediately as provided in this subsection.

(h) Exceptions. This section shall not be construed to prohibit a person less than twenty-one (21) years of age from possessing alcoholic liquor during regular working hours and in the course of his or her employment if employed by a person licensed by the state, by the liquor control commission, or by an agent of the liquor control commission, if the alcoholic liquor is not possessed for his or her personal consumption.

(i) The following individuals are not considered to be in violation of subsection (a):

(1) A person less than twenty-one (21) years of age who has consumed alcoholic liquor and who voluntarily presents himself or herself to a health facility or agency for treatment or for observation including, but not limited to, medical examination and treatment for any condition arising from a violation of sections 520b to 520g of the Michigan Penal Code, 1931 PA 328, MCL 750.520b to 750.520g, committed against a minor.

(2) A person less than twenty-one (21) years of age who accompanies an individual who meets both of the following criteria:

(i) Has consumed alcoholic liquor.

(ii) Voluntarily presents himself or herself to a health facility or agency for treatment or for observation including, but not limited to, medical examination and treatment for any condition arising from a violation of sections 520b to 520g of the Michigan Penal Code, 1931 PA 328, MCL 750.520b to 750.520g, committed against a person less than twenty-one (21) years of age.

(3) A person less than twenty-one (21) years of age who initiates contact with a peace officer or emergency medical services personnel for the purpose of obtaining medical assistance for a legitimate health care concern.

(j) If a person under the age of eighteen (18) who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, voluntarily presents himself or herself to a health facility or agency for treatment or for observation as provided under subsection U), the health facility or agency shall notify the parent or parents, guardian, or custodian of the individual as to the nature of the treatment or observation if the name of a parent, guardian, or custodian is reasonably ascertainable by the health facility or agency.

(k) This section shall not be construed to limit the civil or criminal liability of the vendor or the vendor's clerk, servant, agent, or employee for a violation of this chapter.

(l) The consumption of alcoholic beverages by a person under twenty-one (21) years of age who is enrolled in a course offered by an accredited post secondary educational institution in an academic building of the institution under the supervision of a faculty member shall not be prohibited by this chapter if the purpose is solely educational and a necessary ingredient of the course.

(m) The consumption by a person less than twenty-one (21) years of age of sacramental wine in connection with religious services at a church, synagogue, or temple is not prohibited by this chapter.

(n) Subsection (a) does not apply to a person less than twenty-one (21) years of age who participates in either or both of the following:

(1) An undercover operation in which the person less than twenty-one (21) years of age purchases or receives alcoholic liquor under the direction of the person's employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action.

(2) An undercover operation in which the person less than twenty-one (21) years of age purchases or receives alcoholic liquor under the direction of the state police, the commission, the police department as part of an enforcement action unless the initial or contemporaneous purchase or receipt of alcoholic liquor by the person less than twenty-one (21) years of age was not under the direction of the state police, the commission, or the police department and was not part of the undercover operation.

(o) The state police, the commission, or the police department shall not recruit or attempt to recruit a person less than twenty-one (21) years of age for participation in an undercover operation at the scene of a violation of subsection (a) of this section, section 4-4(a) or (b), MCL 436.1701(1), or MCL 436.1801(2).

(p) In a criminal prosecution for the violation of subsection (a) concerning a person less than twenty-one

(21) years of age having any bodily alcohol content, it is an affirmative defense that the person less than twenty-one (21) years of age consumed the alcoholic liquor in a venue or location where that consumption is legal.

(q) As used in this section:

(1) The term "any bodily alcohol content" means either of the following:

(i) An alcohol content of not less than two hundredths (0.02) gram or more per one hundred (100) milliliters of blood per two hundred ten (210) liters of breath or per sixty-seven (67) milliliters of urine.

(ii) Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony.

(2) The term "emergency medical services personnel" means that term as defined in section 20904 of the Public Health Code, 1978 PA 368, MCL 333.20904.

(3) The term "health facility or agency" means that term as defined in section 20106 of the Public Health Code, 1978 PA 368, MCL 333.20106.

(Ord. No. 80-709, § 1, 5-14-13)

State Law reference- MCL 436.1703.

Clinton Township Michigan Township Ordinance

(Applies to Center Campus and East Campus)

608.01 Purchase by Minors, Sale or Delivery to Minors

(a) Prohibited Actions by Minors.

(1) A minor shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content, except as provided in this section. A minor who violates this subsection is responsible for a city civil infraction or guilty of a misdemeanor as follows:

A. For the first violation, the minor is responsible for a city civil infraction and shall be fined not more than one hundred dollars ($100.00). A court may order a minor under this subdivision to participate in substance use disorder services as defined in section 6230 of the Public Health Code, 1978 PA 368, M.C.L.A. 333.6230, and designated by the Administrator of the Office of Substance Abuse Services, and may order the minor to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (a)(5). A minor may be found responsible or admit responsibility only once under this subdivision.

B. If a violation of this subsection occurs after one prior judgment, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than thirty days if the court finds that the minor violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or by a fine of not more than two hundred dollars ($200.00), or both. A court may order a minor under this subdivision to participate in substance use disorder services as defined in section 6230 of the Public Health Code, 1978 PA 368, M.C.L.A. 333.6230, and designated by the Administrator of the Office of Substance Abuse Services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (a)(5).

C. If a violation of this subsection occurs after two or more prior judgments, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than sixty days, if the court finds that the minor violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or by a fine of not more than five hundred dollars ($500.00), or both, as applicable. A court may order a minor under this subdivision to participate in substance use disorder services as defined in section 6230 of the Public Health Code, 1978 PA 368, M.C.L.A. 333.6230, and designated by the Administrator of the Office of Substance Abuse Services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (a)(5).

(2) An individual who furnishes fraudulent identification to a minor or, notwithstanding subsection (a)(l), a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than ninety-three days or a fine of not more than one hundred dollars ($100.00), or both.

(3) If an individual who pleads guilty to a misdemeanor violation of subsection (a)(l)B. or offers a plea of admission in a juvenile delinquency proceeding for a misdemeanor violation of subsection (a)(l)B., the court, without entering a judgment of guilt in a criminal proceeding or a determination

in a juvenile delinquency proceeding that the juvenile has committed the offense and with the consent of the accused, may defer further proceedings and place the individual on probation. The terms and conditions of that probation include, but are not limited to, the sanctions set forth in subsection 608.0l(a)(2), payment of the costs including minimum state cost as provided for in section 18m of chapter XIIA of the Probate Code of 1939, 1939 PA 288, M.C.L.A. 712A.18m, and section lj of chapter IX of the Code of Criminal Procedure, 1927 PA 175, M.C.L.A. 769. lj, and the costs of probation as prescribed in section 3 of chapter XI of the Code of Criminal Procedure, 1927 PA 175, M.C.L.A. 771.3. If a court finds that an individual violated a term or condition of probation or that the individual is utilizing this subsection in another court, the court may enter an adjudication of guilt, or a determination in a juvenile delinquency proceeding that the individual has committed the offense, and proceed as otherwise provided by law. If an individual fulfills the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. A discharge and dismissal under this section is without adjudication of guilt or without a determination in a juvenile delinquency proceeding that the individual has committed the offense and is not a conviction or juvenile adjudication for purposes of disqualifications or disabilities imposed by law on conviction of a crime. An individual may obtain only one discharge and dismissal under this subsection. The court shall maintain a nonpublic record of the matter while proceedings are deferred and the individual is on probation and if there is a discharge and dismissal under this subsection. The Secretary of State shall retain a nonpublic record of a plea and of the discharge and dismissal under this subsection. These records shall be furnished to any of the following:

A. To a court, prosecutor, or police agency on request for the purpose of determining if an individual has already utilized this subsection.

B. To the Department of Corrections, a prosecutor, or a law enforcement agency, on the Department's, a prosecutor's, or a law enforcement agency's request, subject to all of the following conditions: At the time of the request, the individual is an employee of the Department of Corrections, the prosecutor, or the law enforcement agency, or an applicant for employment with the Department of Corrections, the prosecutor, or the law enforcement agency.

C. The record is used by the Department of Corrections, the prosecutor, or the law enforcement agency only to determine whether an employee has violated his or her conditions of employment or whether an applicant meets criteria for employment.

(4) A misdemeanor violation of subsection (A) successfully deferred, discharged, and dismissed under subsection (C) is considered a prior judgment for the purposes of subsection (a)(l)C.

(5) A court may order an individual found responsible for or convicted of violating subsection (a)(l) to undergo screening and assessment by a person or agency as designated by the department-designated community mental health entity as defined in section 100a of the Mental Health Code, 1974 PA 258, M.C.L. A. 330.1100a, to determine whether the individual is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs. A court may order an individual subject to a misdemeanor conviction or juvenile adjudication of, or placed on probation regarding, a violation of subsection (a)(l) to submit to a random or regular preliminary chemical breath analysis. The parent, guardian, or custodian of a minor who is less than eighteen years of age and not emancipated under 1968 PA 293, M.C.L.A. 722.1 to 722.6, may request a random or regular preliminary chemical breath analysis as part of the probation.

(6) The Secretary of State shall suspend the operator's or chauffeur's license of an individual convicted of a second or subsequent violation of subsection (a)(l) or of violating subsection (a)(2) as provided in section 319 of the Michigan Vehicle Code, 1949 PA 300, M.C.L.A. 257.319.

(7) A peace officer who has reasonable cause to believe a minor has consumed alcoholic liquor or has any bodily alcohol content may request that individual to submit to a preliminary chemical breath analysis. If a minor does not consent to a preliminary chemical breath analysis, the analysis shall not be administered without a court order, but a peace officer may seek to obtain a court order. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a state civil infraction proceeding or criminal prosecution to determine if the minor has consumed or possessed alcoholic liquor or had any bodily alcohol content.

(8) A law enforcement agency, on determining that an individual who is less than eighteen years of age and not emancipated under 1968 PA 293, M.C.L.A. 722.1 to 722.6, allegedly consumed, possessed, or purchased alcoholic liquor, attempted to consume, possess, or purchase alcoholic liquor, or had any bodily alcohol content in violation of subsection (a)(l) shall notify the parent or parents, custodian, or guardian of the individual as to the nature of the violation if the name of a parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. The law enforcement agency shall notify the parent, guardian, or custodian not later than forty-eight hours after the law enforcement agency determines that the individual who allegedly violated subsection (a)(l) is less than eighteen years of age and not emancipated under 1968 PA 293, M.C.L.A. 722.1 to 722.6. The law enforcement agency may notify the parent, guardian, or custodian by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first-class mail. If an individual less than seventeen years of age is incarcerated for violating subsection (a)(l), his or her parents or legal guardian shall be notified immediately as provided in this subsection.

(9) This section does not prohibit a minor from possessing alcoholic liquor during regular working hours and in the course of his or her employment if employed by a person licensed by this act, by the commission, or by an agent of the commission, if the alcoholic liquor is not possessed for his or her personal consumption.

(10) The following individuals are not considered to be in violation of subsection (a)(l):

A. A minor who has consumed alcoholic liquor and who voluntarily presents himself or herself to a health facility or agency for treatment or for observation including, but not limited to, medical examination and treatment for any condition arising from a violation of sections 520b to 520g of the Michigan Penal Code, 1931 PA 328, M.C.L.A. 750.520b to 750.520g, committed against a minor.

B. A minor who accompanies an individual who meets both of the following criteria:

1. Has consumed alcoholic liquor; and

2. Voluntarily presents himself or herself to a health facility or agency for treatment or for observation including, but not limited to, medical examination and treatment for any condition arising from a violation of sections 520b to 520g of the Michigan Penal Code, 1931 PA 328, M.C.L.A. 750.520b to 750.520g, committed against a minor.

C. A minor who initiates contact with a peace officer or emergency medical services personnel for the purpose of obtaining medical assistance for a legitimate health care concern.

(11) If a minor who is less than eighteen years of age and who is not emancipated under 1968 PA 293, M.C.L.A. 722.1 to 722.6, voluntarily presents himself or herself to a health facility or agency for treatment or for observation as provided under subsection (a)(l 0), the health facility or agency shall notify the parent or parents, guardian, or custodian of the individual as to the nature of the treatment or observation if the name of a parent, guardian, or custodian is reasonably ascertainable by the health facility or agency.

(12) This section does not limit the civil or criminal liability of a vendor or the vendor's clerk, servant, agent, or employee for a violation of this act.

(13) The consumption of alcoholic liquor by a minor who is enrolled in a course offered by an accredited post secondary educational institution in an academic building of the institution under the supervision of a faculty member is not prohibited by this act if the purpose of the consumption is solely educational and is a requirement of the course.

(14) The consumption by a minor of sacramental wine in connection with religious services at a church, synagogue, or temple is not prohibited by this act.

(15) Subsection (a)(l) does not apply to a minor who participates in either or both of the following:

A. An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the person's employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action; and/or

B. An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the state police, the commission, or a local police agency as part of an enforcement action unless the initial or contemporaneous purchase or receipt of alcoholic liquor by the minor was not under the direction of the state police, the commission, or the local police agency and was not part of the undercover operation.

(16) The state police, the commission, or a local police agency shall not recruit or attempt to recruit a minor for participation in an undercover operation at the scene of a violation of subsection (a)(l), M.C.L.A. 436.1701(1), or M.C.L.A. 436.1801(2).

(17) In a prosecution for the violation of subsection (a)(l) concerning a minor having any bodily alcohol content, it is an affirmative defense that the minor consumed the alcoholic liquor in a venue or location where that consumption is legal.

(18) As used in this section:

A. "Any bodily alcohol content" means either of the following:

1. An alcohol content of 0.02 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

2. Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony.

B. "Emergency medical services personnel" means that term as defined in section 20904 of the Public Health Code, 1978 PA 368, M.C.L.A. 333.20904.

C. "Health facility or agency" means that term as defined in section 20106 of the Public Health Code, 1978 PA 368, M.C.L.A. 333.20106.

D. "Prior judgment" means a conviction, juvenile adjudication, finding of responsibility, or admission of responsibility for any of the following, whether under a law of this state, a local ordinance substantially corresponding to a law of this state, a law of the United States

substantially corresponding to a law of this state, or a law of another state substantially corresponding to a law of this state:

1. This section or M.C.L.A. 436.1701 or M.C.L.A. 436.1707.
2. Section 624a, 624b, or 625 of the Michigan Vehicle Code, 1949 PA 300, M.C.L.A. 257.624a, 257.624b, and 257.625.
3. Section 80176, 81134, or 82127 of the Natural Resources and Environmental Protection Act, 1994 PA 451, M.C.L.A. 324.80176, 324.81134, and 324.82127.
4. Section 167a or 237 of the Michigan Penal Code, 1939 PA 328, M.C.L.A. 750.167a and 750.237.

(b) Sale or Delivery to Minors Prohibited.

(1) No person shall knowingly sell or furnish alcoholic liquor to a person who is under twenty-one years of age, or fail to make diligent inquiry as to whether the person is under twenty-one years of age. The person who violates this paragraph is guilty of a misdemeanor punishable as provided within this Code of Ordinances.

(2) A suitable sign describing the requirements of applicable Michigan laws, including M.C.L.A. 436.33 as amended and the penalties for violating such provisions shall be posted in a conspicuous place in each room where alcoholic liquors are sold. Such sign shall be approved and furnished by the Michigan Liquor Control Commission.

(3) For a violation of subsection (a)(l), proof that the defendant or the defendant's agent or employee demanded and was shown before furnishing alcoholic liquor to a person under twenty-one years of age, a motor vehicle operator's license or a registration certificate issued by a federal selective service or other bona-fide documentary evidence of the agent identity of that person, shall be a defense to an action under this section.

(c) Bringing Alcoholic Beverages Into an Establishment Licensed to Sell Same Prohibited. No person shall bring any alcoholic beverage nor permit any alcoholic beverage to be brought into an establishment licensed to sell alcoholic beverages except that the person may make a lawful delivery of alcoholic beverages to an establishment licensed to sell alcoholic beverages. A person who violates this paragraph is guilty of a misdemeanor punishable as provided within this Code of Ordinances.

(Ord. 222-A-6. Passed 12-10-84; Ord. 438. Passed 11-27-17.)

Where to Get Help

The Macomb College Police participate in the *Hope Not Handcuffs* initiative through Families Against Narcotics.

What is it?

Hope Not Handcuffs is an initiative started by Families Against Narcotics (FAN), aimed at bringing new law enforcement and community organizations together in an effort to find viable treatment options for individuals seeking help to reduce dependency with heroin, prescription drugs and alcohol. It is a solution.

How it Works

A person struggling with any drug addiction can come to any of the participating police agencies and ask for help. They will be greeted with support, compassion and respect. If accepted into the program*, the individual will be guided through a brief intake process to ensure proper treatment placement.

If a person is uninsured or has Medicaid, we will work directly with the Macomb County Office of Substance Abuse (MCOSA) for placement. If a person has private insurance, we will provide them with treatment options covered by their plan. Regardless, our team will work to get them into treatment as soon as possible. Over 600 volunteer Angels will help with paperwork and provide compassionate support until a treatment option is found.

*Exceptions that may make someone ineligible for the program: A felony or domestic violence warrant, danger to others, under 18 without parent or guardian consent, or medical condition that may need hospitalization.

Macomb Community College recognizes that alcoholism and drug abuse can directly affect student success, inside and outside the classroom. If you, or someone you know, needs help or information regarding alcohol and drug abuse, here are some resources available to you on campus and throughout the county. Most information is free and many treatment and counseling centers operate on an ability-to-pay basis.

Drug free schools and community act information: The college shall conduct a biennial review of this Policy to: 1) determine its effectiveness and implement changes, if needed; and 2) determine the number of drug and alcohol-related violations and fatalities that (i) occur on campus or during college activities; and (ii) are reported to college officials.

College Resources

- **Counseling Office**
  Center Campus H103
  586.286.2228

  South Campus G370
  586.445.7999

  Referral for drug and alcohol problems.

- **Student Options for Success (SOS)**
  South Campus G-370
  586.447.8609

  Providing community referrals for non-academic expenses.

Selected County Substance Abuse Services

- **Macomb County Office of Substance Abuse (MCOSA)**
  22550 Hall Rd., Clinton Twp.
  586.469.5278

Macomb County clearinghouse for information, assessment and referrals for individuals and/or families with drug and alcohol problems.

- **Eastwood Clinic**
  37500 Garfield, Clinton Twp.
  586.792.5335

  Eastwood Clinic
  22708 Harper, St. Clair Shores
  586.445.2210

  Mental health and all substance abuse. Group and individual therapy. Wide range of insurances accepted. Covered by (MCOSA).

- **Alcoholics Anonymous Metropolitan Office**
  380 Hilton, Ferndale
  248.541.6565
  Peer recovery program for alcoholics.
  www.aa.org
- **Henry Ford Behavioral Health**
  15420 19 Mile Rd., Clinton Twp.
  586.226.7007
  Outpatient alcohol and drug abuse treatment. Individual, family and group counseling.
- **Clinton Counseling Center**
  Two Crocker Boulevard, Mt. Clemens
  586.468.2266
  Outpatient alcohol and drug abuse treatment. Individual, family and group counseling.
- **Macomb Family Services**
  36975 Utica Rd., Ste. 104, Clinton Twp.
  586.226.3440
  124 W Gates, Romeo
  586.752.9696
  43920 Mound Rd., Sterling Hts.
  586.254.5660
  35000 Division, Richmond
  586.727.5529
  Providing services for mental health, substance abuse, gambling, domestic violence, senior services and parent education.
- **Drug and Alcohol Rehab Headquarters**
  1.866.720.3784
- **The Judson Center**
  Mental Health and Substance Abuse Services
  1220 E 12 Mile Road, Warren 48093
  586.573.1810
- **Narcotics Anonymous**
  726 Livernois Rd., Ferndale
  Michigan Region 800.230.4085
  Metro Detroit Region 877.338.1188
  Peer recovery program for drug addicts.

A complete directory to Macomb County substance abuse services is available by calling the Macomb County Office of Substance Abuse, 586.469.5278.

Drug Free Schools and Communities Act

The Macomb College Police have developed and maintains the College Drug and Alcohol Prevention Plan. The plan contains the following:

- List of legal and institutional sanctions for drug and alcohol violation.
- A list of Local, State, and federal criminal statutes pertaining to drugs and alcohol.
- Information on the health risks associated with the abuse of drugs and alcohol.
- The standards of conduct for Macomb Community College.
- A list of college and public resources that provide assistance to persons struggling with drug and alcohol addiction.

This information is distributed to all staff and students each September via email. The information is distributed to new college students and new college employees.

The information can be accessed at any time using the following link:

https://cutt.ly/TVMfNfo

Title IX—Sexual Harassment, Sexual Misconduct and Prevention

Policies and Procedures for Responding to Reports of Sexual Harassment and Sexual Misconduct

I. Purpose and Scope

Macomb Community College (hereinafter, "the College") is committed to fostering a fair and equitable environment for individuals to study, learn and work and a prompt and equitable process for investigation and resolution of complaints covered by Title IX. This Policy applies to students, faculty, staff who are (1) employed by, attending, or affiliated with the College; (2) participating in, or attempting to participate in, any Macomb program or activity; and/or (3) visiting the College's campus(es) or any property owned or leased by the College. This Policy also covers acts of Prohibited Conduct committed by third parties, including visitors, guests, vendors, and contractors who are affiliated with the College, or accessing, or attempting to access, a College program or activity; complaints against such third-parties may be handled in accordance with existing contracts and agreements, and third parties may not be eligible for the procedural protections provided within this Policy.

The procedures in this policy are in accordance with the Department of Education's Title IX Regulations, published May 19, 2020. They apply only to complaints of sexual harassment, sexual assault, dating violence, domestic violence and stalking on the basis of sex as defined by this Policy (hereinafter referred to collectively as "Prohibited Conduct").

The College shall have the discretion to refer complaints of misconduct not covered by this Policy to any other appropriate office for handling under any other applicable College policy or code.

II. Prohibited Conduct

Prohibited Conduct as used throughout this policy is defined to include any of the following acts when they occur in the United States and, either on campus, in a building controlled by an officially recognized College organization, and/or in a College program or activity.

1. **Dating Violence:** Violence committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
2. **Domestic Violence:** Violence, on the basis of sex, committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Michigan, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Michigan. Allegations of child abuse under Michigan law shall also be referred to Children's Protective Services or local law enforcement.
3. **Sexual Harassment:** Conduct on the basis of sex committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved which is one of the following:

   A. When a College employee conditions the provision of an educational benefit or service on an individual's participation in unwelcome sexual conduct (quid pro quo); and/or

   B. Unwelcome conduct[1] determined by a reasonable person to be so severe, and pervasive, and objectively offensive, that it effectively denies a person equal access to an educational program or activity in the College.

   The College recognizes community members' right to the free expression of ideas including those that may be controversial or unpopular. Nothing in this definition is intended to conflict with an individual's First Amendment rights. As a result, any conduct covered by those protections does not meet this definition of sexual harassment.

4. **Sexual Assault, Includes any of the Following:**

A. Sexual Offenses, Forcible: Any sexual act directed against another person without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent[2]:

i. 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 Complainant.

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

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

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

B. Sex Offenses, Non-forcible, Includes Any of the Following:

i. **Incest:** Non-forcible sexual intercourse between persons who are related to each other, within the degrees wherein marriage is prohibited by Michigan Law.

ii. **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent of 16 years of age.

5. **Sex-Based Stalking:** Engaging in a course of conduct on the basis of sex directed at a specific person, that would cause a reasonable person to fear for the person's safety, or the safety of others, or suffer substantial emotional distress.

For the purposes of this definition:

i. *Course of conduct* means two or more acts, including, but not limited to acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

ii. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the Complainant.

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

III. Definitions

1. **Actual Knowledge:** Notice of Prohibited Conduct allegations to the College's Title IX Coordinator or any College official with authority to institute corrective measures on behalf of the College. All employees of the College are required to inform the Title IX Coordinator about the information received. The mere ability or obligation to report Prohibited Conduct or to inform a student about how to report Prohibited Conduct, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the College. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only College official with actual knowledge is the Respondent.

2. **Advisor:** All persons who are a Complainant or a Respondent are permitted to bring an Advisor of their own choosing to any meeting or interview to provide support. The Advisor may be any person, including a family member or an attorney. The Advisor may accompany the student party to any and all portions of the grievance process. The Advisor may

[1, 2] Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is below the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

not participate directly in, represent, or interfere with the investigation. Although reasonable attempts will be made to schedule proceedings consistent with an Advisor's availability, the process will not be delayed to schedule the proceedings at the convenience of the Advisor. The Title IX Coordinator has the discretion to remove the Advisor from investigation and hearing proceedings if the Advisor interferes with the proceedings.

During a hearing, a Complainant and Respondent shall have a Hearing Advisor. The Hearing Advisor may be the same person who serves as the Advisor during the investigation process. This person may be of the Complainant or Respondents own choosing. If a Complainant or Respondent does not have a Hearing Advisor who can be present for the hearing, the College will provide a Hearing Advisor for the purpose of asking questions of the other party, and witnesses. Neither Complainant nor Respondent shall be permitted to ask questions of the other party, or witnesses.

3. **Complainant:** An individual who is the victim of, or alleged to be the victim of, conduct that may constitute Prohibited Conduct as defined in this Policy.

4. **Confidentiality and Privacy:** Confidentiality and Privacy have distinct meanings under this Policy.

   "Confidentiality" generally means that information shared with a licensed confidential resource cannot be revealed to any other person or office, unless written permission is granted by the individual to share their information,

   "Privacy" generally means that information related to a report of Prohibited Conduct will only be shared with a limited circle of individuals who "need to know" in order to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

   The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the College's FERPA Policy. The privacy of an individual's medical and related records may be protected by the Health Insurance Portability and Accountability Act ("HIPAA"), except health records protected by FERPA. Access to an employee's personnel records may be restricted by applicable state and federal law.

   While there are certain limitations on privacy, the College generally will not release the names of the Complainant or Respondent to the general public without express written consent or absent another exception consistent with the law. The release of names will be guided by applicable law, including the Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

   In addition, no information shall be released from a proceeding to enforce this Policy except as required or permitted by law and College Policy.

5. **Consent:** A free and willing agreement to engage in a sexual act, provided without force or coercion, between individuals who are of sufficient age and are not mentally incapable, mentally disabled, mentally incapacitated or physically helpless, or incapacitated by drugs or alcohol. Consent is a clear and unambiguous agreement, expressed outwardly through mutually understandable words or actions, to engage in a particular activity. Consent must be voluntarily given and cannot be obtained through coercion or force, and the person initiating a specific sexual activity is responsible for obtaining consent for that activity. Consent is not to be inferred from silence, or a lack of resistance. Consent is not to be inferred from an existing or previous dating or sexual relationship. Consent to engage in one sexual activity at one time is not consent to engage in a different sexual activity or to engage in the same sexual activity on a later occasion. Consent can be withdrawn by any party at any point. Once consent is withdrawn, the sexual activity must cease immediately. For purposes of this Policy, in evaluating whether consent was freely sought and given, the issue is whether the Respondent knew, or reasonably should have known, that the activity in question was not consensual or that the Complainant was unable to consent due to incapacitation.

6. **Days:** Any reference to days within this Policy shall be counted as College business days unless otherwise specified.

7. **Formal Complaint:** The term "Formal Complaint" has a very specific definition within this Policy, and whether one is filed does not depend on the label applied, but instead on whether certain specific elements are met. A Formal Complaint is the act that initiates an investigation. A Formal Complaint must be filed and signed by a Complainant or signed by the

Title IX Coordinator, alleging conduct which would constitute a violation of this Policy and requesting that the College investigate the allegations(s). At the time of filing a Formal Complaint, a Complainant must be participating in, or attempting to participate in, an education program or activity at the College. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail (email), by using the contact information listed on the Title IX website (www.macomb.edu/titleix), or as described in this Policy. Individuals who would like more information about filing a Formal Complaint are invited to contact the Title IX Coordinator for additional information.

In the event that the Title IX Coordinator signs the Formal Complaint, this act does not make the Title IX Coordinator the "Complainant" for purposes of this Policy.

8. **Hearing Advisor:** During ahearing, a Complainant and Respondent shall have a Hearing Advisor. The Hearing Advisor may be the same person who served as the Advisor throughout the investigation. This person may be of the Complainant's or Respondent's own choosing. If a Complainant or Respondent does not have a Hearing Advisor who can be present for the hearing, the College will provide a Hearing Advisor for the purpose of asking questions of the other party, and witnesses. Other than asking questions at the hearing of the other party or of witnesses, the Hearing Advisor may not participate directly in, represent, impede or interfere with the hearing proceedings.
9. **Incapacitation:** A state where an individual cannot make an informed and rational decision to engage in sexual activity because of a lack of conscious understanding of the fact, nature, or extent of the act (e.g., to understand the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. An individual asleep or unconscious is considered to be incapacitated and unable to consent to sexual activity. An individual will also be considered incapacitated if the person cannot understand the nature of the activity or communicate due to a mental or physical condition. Incapacitation may result from the use of alcohol, drugs, or other medication. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation.

   The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual's: (A) decision-making ability; (B) awareness of consequences; (C) ability to make informed judgments; or (D) capacity to appreciate the nature and the quality of the act.

   It shall not be a valid excuse that the Respondent believed that the Complainant consented to the sexual activity if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances: (a) the Complainant was asleep or unconscious; (b) the Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity; (c) the Complainant was unable to communicate due to a mental or physical condition.

   Whether the Respondent reasonably should have known that the Reporting Party was incapacitated will be evaluated using an objective reasonable person standard. The fact that the Respondent was actually unaware of the Complainant's incapacity is irrelevant to this analysis, particularly where the Respondent's failure to appreciate the Complainant's incapacitation resulted from the Respondent's failure to take reasonable steps to determine the Complainant's incapacitation or where the Respondent's own incapacitation (from alcohol or drugs) caused the Respondent to misjudge the Complainant's incapacity.

   It is the responsibility of the individual initiating the sexual activity to be aware of the intoxication level of the other party before engaging in sexual activity. In general, sexual activity while under the influence of alcohol or other drugs poses a risk to all parties. If there is any doubt as to the level or extent of the other individual's intoxication, it is safest to forgo or cease any sexual contact or activity.
10. **Party:** A Complainant or Respondent in a case.
11. **Preponderance of Evidence:** Means "more likely than not." It is the standard of evidence used during the investigation to determine whether the alleged conduct occurred and/or this Policy was violated.
12. **Protected Activity:** Exercising any right or privilege under this policy. Examples of protected activities include reporting (internally or externally) a complaint of Prohibited Conduct in good faith, assisting others in making such a report, participating in a grievance process, acting in good faith to oppose conduct that constitutes a violation of this Policy, honestly

participating as an investigator, witness, decision maker, or otherwise assisting in, an investigation or proceeding related to an alleged violation of this Policy.

13. **Respondent:** An individual who is reported to have allegedly engaged in Prohibited Conduct.
14. **Standard of Evidence:** The decision regarding a Respondent's responsibility will be determined by a preponderance of the evidence, meaning "more likely than not."
15. **Supportive Measures:** Non-disciplinary, non-punitive, free of charge individualized services offered to a Complainant and/or the Respondent by the College as appropriate and reasonably available. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party. Supportive measures are also available whether or not a Formal Complaint has been filed. Supportive measures may include, but are not limited to:
    - Providing a campus escort
    - Minimizing interaction between Complainant and Respondent (e.g., shifting classes, work, etc.)
    - Relocating to a different classroom, work space, course group, etc.
    - Providing counseling (ongoing/comprehensive) referrals
    - Providing medical referrals
    - Providing academic support services, such as tutoring
    - Assigning advocates, if requested
    - Offering mutual no-contact orders
    - Arranging for the Complainant and/or Respondent to re-take a course/withdraw from a class without penalty
    - Holding school-wide training and education initiatives
    - Administrative leave for non-student employee
    - Change supervisor
    - Other measures as determined on a case-by-case basis.

    Note: Any Supportive Measures put in place will be kept confidential, except to extent that doing so impairs the ability of the institution to provide the Supportive Measures.
16. **Third-Party Reporter:** A person other than the Complainant who reports an incident or allegation of Prohibited Conduct.
17. **Title IX Coordinator/Deputy Title IX Coordinator:** The College officials charged with ensuring the College's overall compliance with Title IX and related College Policy and procedures.

IV. Making a Report

The College encourages individuals to report incidents involving Prohibited Conduct and other potential violations of this policy. The College does not limit the timeframe for reporting an incident regardless of when the incident occurred. However, the College encourages individuals to report as soon as practical, as memories may fade and evidence may be lost over time.

Individuals may also notify the Title IX Coordinator if they believe someone else may have experienced conduct that would be a violation of this Policy.

Reports of potential violations of this Policy may be made to the Title IX Coordinator, Jill Thomas-Little at titleix@macomb.edu, (586) 445-7242, or by using the online report form.

Upon being notified of a report, the Title IX Coordinator shall reach out to the Complainant to schedule an Intake Interview and will also provide Complainant information regarding resources, rights, Supportive Measures, and reporting options, and will explain that Supportive Measures are available with or without filing a Formal Complaint.

Privacy: Reports to the Title IX Coordinator of potential violations of this policy will be kept private to the extent possible for the College to respond to the report, but reports made to the Title IX Coordinator are not confidential.

Anonymous Reports: Any individual may make an anonymous report concerning an act of Prohibited Conduct. Depending on the extent of information available about the incident or the individuals involved, however, the College's ability to respond to an anonymous report may be limited. The Title IX Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as appropriate, and in consultation with the Clery Coordinator, compliance with all Clery Act obligations.

Please note that a Formal Complaint cannot be filed anonymously, and is only considered to have been filed when the complaint contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

Responsibility to Report: The College encourages all members of the college community to make the college a safe and supportive environment for everyone including calling College Police by dialing 911 from a college phone or using the blue light phones on campus in an emergency situation, or to report a crime or other incident that poses a risk of harm to the college community. However, College employees have a particular duty to report safety or security concerns and crimes or Policy violations, including potential violations of this Policy. **Any** College employee who witnesses, is advised of or learns about an alleged violation of this Policy **must *promptly notify*** the Title IX Coordinator of the incident by email or telephone. The employee must report to the College's Title IX Coordinator all relevant details about the alleged misconduct known to the employee or shared with them.

Amnesty: A Complainant or Third Party who reports a violation of this policy, or any participant in an investigation or hearing under this policy will not be subject to the College's policy concerning alcohol or drug use for actions that may have occurred at or near the time of Prohibited Conduct, unless the action threatened or threatens the health or safety of another.

V. Outreach and Initial Assessment

Intake Interview

Upon receipt of information alleging a potential violation of this Policy, the Title IX Coordinator shall reach out to the Complainant to schedule an intake or informational interview and provide a copy of this policy and the following informatioan: availability of Supportive Measures with or without filing a Formal Complaint;

- How to file a Formal Complaint;
- Right to notify law enforcement and the right not to notify law enforcement;
- Importance of preserving evidence;
- Resources for counseling, health care, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other available services; and,
- Right to an Advisor of choice.

The Title IX Coordinator will discuss the Complainant's rights and options, and will also assess for, and provide, appropriate Supportive Measures, which are available with, or without, the filing of a Formal Complaint. If a Formal Complaint has not already been filed, the Title IX Coordinator will explain to the Complainant the process for filing a Formal Complaint.

A Complainant may choose to receive Supportive Measures only and not proceed with the filing of a Formal Complaint, or any other resolution process. A Complainant may also request an informal resolution or an investigation and hearing. If a Complainant chooses to pursue an informal resolution or investigation and hearing, a Formal Complaint is required.

For those Complainants who wish to proceed with a resolution process, the Title IX Coordinator will also assess the facts as presented to determine whether the information provided suggests a potential violation of this Policy.

In the event the allegation involves a sexual assault, dating or domestic violence, or stalking, within Clery geography, the Title IX Coordinator will also notify the Clery Coordinator of the allegations. Complainants will also be provided with information about their right to file with law enforcement, their right to decline to do so, and, when applicable, information about seeking a personal protection order from the local courts.

If the complaint does not meet the required definitions of this Policy, then the Title IX Coordinator will not initiate either Resolution Process. The Title IX Coordinator shall refer the Complainant to the appropriate office for further inquiry and/or offer supportive measures as appropriate.

Emergency Removal Provisions

If at any time the College determines that the conduct, as alleged, poses a risk of physical harm to one or more members of the College community or to the College's educational environment, the College may instruct that a student Respondent be suspended, on an interim basis, from specific programs or activities. Any such assessment will be made on a case-by-case basis, based on an individualized safety and risk analysis. If the College determines that an immediate physical threat to the health or safety of students or others justifies removal from campus, then a Respondent may be suspended on an interim basis. The decision to do so will be provided to the Respondent in writing.

Further, the College shall have the authority to place any employee Respondent on an administrative leave of absence pending the outcome of an investigation and hearing.

The decision to place any Respondent on an interim suspension or administrative leave shall not be considered as evidence that any determination has been made regarding potential responsibility for violating this Policy.

Opportunity to Challenge Decision to Suspend or Remove: A student Respondent shall have an opportunity to challenge the decision of suspension or removal. To challenge suspension or removal, the Respondent should contact the Dean of Student Success within 5 days of the interim suspension, who will explain the College's process for challenging the emergency removal.

Challenges to decisions of suspension or removal may be made to the Dean of Student of Student Success, Sue Boyd at deanofstudents@macomb.edu or 14500 E. 12 Mile Rd., Warren, MI 48088.

VI. Filing a Formal Complaint

In order to proceed to a Resolution Process, a Formal Complaint must be filed and signed by either Complainant or the Title IX Coordinator.

An individual may choose to file a Formal Complaint. A Formal Complaint has a very specific definition under this policy, and differs from solely making a report to the Title IX Coordinator. Unless it is dismissed as set forth below, filing a Formal Complaint will result in written notification to the Respondent and the commencement of the Resolution Process.

How To File

A Formal Complaint may be made by:

a) completing the complaint form found on the college's website at www.macomb.edu/titleix;
b) by visiting the Title IX Office in SG-316;
c) by calling (586) 445-7242;
d) by emailing the Title IX Coordinator at titleix@macomb.edu; or
e) by mailing a signed complaint to the Title IX Coordinator at 14500 E 12 Mile Road, Warren, MI 48088.

At the time of filing a Formal Complaint, the Complainant must be participating in or attempting to participate in a College program or activity. A Formal Complaint may not be filed anonymously. Anyone who wishes to discuss their options with the Title IX Coordinator prior to filing a Formal Complaint is encouraged to do so.

Privacy: Reports to the Title IX Coordinator of potential violations of this policy will be kept private to the extent possible for the College to respond to the report, but reports made to the Title IX Coordinator are not confidential.

Contents of a Formal Complaint

A Formal Complaint must include:

A. The Complainant's digital or physical signature, or an indication that the Complainant is the person filing the Formal Complaint
B. An allegation of Prohibited Conduct as defined under this Policy. This may include:
   i. Where the incident(s) occurred
   ii. What incident(s) occurred
   iii. When the incident(s) occurred
C. Identity of Respondent, if known
D. A request for an investigation

If a complaint is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to confirm a Complainant's intent to file a Formal Complaint. Further, if the Formal Complaint does not have sufficient information to determine whether or not the conduct as alleged will fall under this Policy, the Title IX Coordinator will contact the Complainant to schedule an Intake Interview.

Filed by Title IX Coordinator: The Title IX Coordinator shall have the discretion to sign a Formal Complaint and initiate an investigation when a Complainant's allegations involve violence, use of weapons, serial predation, or similar factors. When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator does not become the "Complainant" for purposes of this Policy.

After a Formal Complaint is Filed: Upon receipt of a Formal Complaint, the Title IX Coordinator will reach out to the Complainant to conduct an Intake Interview and to discuss and implement Supportive Measurers. In the event that the Complainant declines to participate in an Intake Interview, and if the Formal Title IX Complaint contains an allegation meeting all of the jurisdictional elements of this Policy, and the Formal Complaint is signed or includes an electronic submission from the Complainant, and requests an investigation, the Title IX Coordinator will, within 2 days, put the Respondent and Complainant on notice of the allegation and commence the investigation process.

VII. MANDATORY AND DISCRETIONARY DISMISSAL

The College has the discretion to dismiss a complaint and in some cases an obligation to dismiss a complaint as follows:

Mandatory Dismissal

At any time prior to the commencement of a hearing, any case proceeding under this Policy will be dismissed if it is determined that the conduct at issue does not meet the definitional or jurisdictional requirements of this Policy. If the alleged conduct would, if true, support a finding that another College Policy or Code has been violated, the College may, in its sole authority, transfer the case for further handling under the appropriate Policy or Code. The College may use evidence already gathered during the Title IX process for the further handling of the complaint. Upon dismissal, both parties shall be notified in writing of the decision and the rationale for the decision. The decision to dismiss is subject to appeal. Both parties will be notified in writing of any determination made following the appeal.

Discretionary Dismissal

At any time during an investigation or hearing, any case when: 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; b) the Respondent is no longer enrolled or employed at the College; or c) circumstances prevent the College from gathering evidence sufficient to reach a determination. If the alleged conduct would, if true, support a finding that another College Policy or Code has been violated, the College may, in its sole authority, transfer the case for further handling under the appropriate Policy or Code. The College may use evidence already gathered during the Title IX process for the further handling of the complaint. Upon dismissal, both parties shall be notified in writing of the decision and the rationale for the decision. The decision to dismiss is subject to appeal. Both parties will be notified in writing of any determination made following the appeal.

Consolidation of Cases: In the event that the allegations under this Policy also involve allegations of a violation of a separate policy, the Title IX Coordinator shall have sole discretion to consolidate those other allegations within one investigation and/or hearing. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this Policy.

VIII. Resolution Methods

A Formal Complaint is required in order to initiate either of the two methods to resolve a potential violation of this policy: A) Informal Resolution; or B) Formal Resolution, which involves an investigation and hearing.

A. **Informal Resolution**

The Complainant may request, in writing, to proceed with an Informal Resolution.

Participation in the Informal Resolution process is voluntary for both Complainant and Respondent and both parties and the Title IX Coordinator must agree to the use of Informal Resolution to resolve the Formal Complaint. If an Informal Resolution option is preferred, the Title IX Coordinator will assess whether the Formal Complaint is suitable for Informal Resolution and will then take steps to determine if the Respondent is also willing to engage in Informal Resolution. Both parties must agree, in writing, to an Informal Resolution.

Allegations that an employee has engaged in Prohibited Conduct toward a student shall not be handled through the Informal Resolution process, and instead be resolved only through the Investigation and Hearing process.

When the Complainant requests an Informal Resolution, the Title IX Coordinator will provide the Complainant and Respondent written notice that includes:

- The specific allegation and the specific conduct that is alleged to have occurred;
- The requirements of the Informal Resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations;
- Any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared;
- A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred, and that the Respondent is presumed not responsible, unless and until, at the conclusion of the formal investigation and adjudication processes, there is a determination of responsibility;
- An explanation that each party may be accompanied by an Advisor and a support person of their choice, who may be a parent, friend, or attorney;

- The date and time of the initial meeting with the Title IX Coordinator, with a minimum of 2 days' notice;
- Information regarding Supportive Measures, which are available equally to the Respondent and to the Complainant.

  If either party does not voluntarily agree in writing to pursue an Informal Resolution, or if the Complainant, Respondent, or Title IX Coordinator, at any time, determines that Informal Resolution is no longer appropriate, the Title IX Coordinator will promptly inform the Complainant and Respondent in writing that the Formal Complaint will proceed through the Formal Resolution.

  Once the final terms of an Informal Resolution have been agreed upon by both parties, in writing, the matter shall be considered closed, and no further action shall be taken.

  The Informal Resolution process is generally expected to be completed within thirty (30) days and may be extended for good cause by the Title IX Coordinator. Both parties will be notified, in writing, of any extension and the reason for the extension.

  Records of any Informal Resolution will be maintained and can be shared with other offices as appropriate.

B. **Formal Resolution**

  Formal Complaints that are not dismissed or resolved through Informal Resolution will be resolved in the Formal Resolution process described below:

Investigation Process

The College expects that all individuals who participate in the investigation process to do so truthfully and that all who have a responsibility for carrying out one or more aspects of the investigation and hearing process do so fairly and without prejudice or bias.

Prohibition on False Evidence Provided During Title IX Process

Each party and every witness is expected to provide truthful information to the investigator, Hearing Officer, and the Appeals Officer. Violation of this prohibition will be adjudicated through the appropriate college policy.

Notice of Investigation and Investigation Process

Within a reasonable period of time from the filing of a Formal Complaint and prior to the start of an investigation, the Respondent and Complainant shall be provided, in writing, with a Notice of Investigation. Such notice shall include:

- The specific allegation and the specific conduct that is alleged to have occurred;
- The identity of the Complainant;
- The date and location (if known) of the conduct that is alleged to have occurred;
- A copy of this Policy, which contains the process that will be followed, including an explanation that each party shall have the right to inspect and review all evidence prior to the completion of the investigation;
- A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred, and that the Respondent is presumed not responsible, unless and until, at the conclusion of the process below, there is a determination of responsibility;
- An explanation that each party may be accompanied by an Advisor of their choice, who may be a parent, friend, attorney, or union representative;
- The date and time of the initial interview with the investigator, with a minimum of five (5) days notice;
- Information regarding amnesty granted during this process;
- The name and contact information for the assigned investigator;
- Information regarding Supportive Measures.

Should additional allegations be brought forward, a revised Notice of Allegation shall be provided to both parties, in writing.

<u>Conflict of Interest or Bias</u>

After a Formal Notice of Investigation is issued to Complainant and Respondent, each party may object to the Title IX Coordinator or designated investigator on the grounds of a demonstrated bias or actual conflict of interest. Both parties will have three (3) business days from the date of the Notice of Investigation to object to the selection of the investigator or the Title IX Coordinator. Objections to the Title IX Coordinator shall be made in writing to the Vice President of Human Resources, Denise Williams at williamsdl@macomb.edu or at 14500 E. 12 Mile Rd, Warren, MI 48088.

Objections to the appointment of the investigator shall be made, in writing, to the Title IX Coordinator. If the objection is substantiated as to either the Title IX Coordinator or the Investigator, that individual shall be replaced.

Timeline

The College strives to complete the investigation process, up to evidence review, within 40 days, which may be extended for good cause by the Title IX Coordinator. Both parties shall be notified, in writing, of any extension granted, the reason for the extension and the new anticipated date of conclusion of the investigation.

Interviews

The investigator will interview all parties and relevant witnesses and gather relevant documentary evidence provided by the parties and any identified witnesses. Interviews may be conducted in person, or via video conference. The investigator will record the interview and the transcript of the interview will be made available to the person interviewed and also included with evidence review (see below).

The investigator shall prepare an Interview Summary of each interview. The investigator will share the Interview Summary with the interviewee. The interviewee will have three (3) days to correct or comment on any statements made in the Interview Summary. The deadline may be extended for good cause, upon request to the investigator. If the interviewee has corrections or comments to the Interview Summary, the interviewee may submit a written response within three (3) days reflecting any additions or changes which the interviewee believes are necessary to ensure the accuracy of the interviewee's statement. If no response is received from the interviewee by the deadline, their Interview Summary will be presumed to be accurate. In all instances where the investigator includes the Interview Summary as an exhibit to a report, the investigator will either adjust the Interview Summary as may be appropriate, or include any response provided with the Investigation Report.

Each party shall be provided with an opportunity to offer relevant witnesses and evidence. The investigator will consider all relevant evidence.

Information or evidence that is not provided to the investigator will not be allowed during the hearing, unless it can be clearly demonstrated that such information was not reasonably known to or available to the parties at the time of the investigation.

Evidence Review

At the conclusion of all interviews and fact gathering, and when the evidence has been gathered, the investigator will provide each party, and their Advisor, the opportunity to review all of the evidence gathered that is directly related to the allegation(s). This shall include both inculpatory and exculpatory evidence, meaning evidence that supports or disproves the allegations brought against the respondent. Given the sensitive nature of the information provided, the information will be provided in a secure manner (e.g., by providing digital copies of the materials through a protected, "read-only" web portal). Neither the Complainant nor the Respondent (nor their Advisors) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this Policy may be subject to discipline. Any Advisor who fails to abide by this Policy may be subject to discipline and/or may be excluded from further participation in the process.

Each party may respond to the evidence gathered. Each party shall have ten (10) days in which to respond to the evidence. Each may provide a response in writing to the investigator. The investigator will incorporate any response provided by the parties into the Summary of Evidence Report. Along with their response to the evidence, each party may also submit a written request for additional investigation, such as a request for a follow-up interview(s) with existing witnesses to clarify or provide additional information, including offering questions to the investigator to pose to witnesses or to the other party. This response may include written, relevant questions that a party would like the investigator to ask of any party or witness. If any of the questions posed will be excluded as not relevant, or not likely to lead to relevant information, the investigator shall explain to the party who proposed the questions any decision to exclude a question as not relevant.

Upon receipt of each party's response to the evidence reviewed, the investigator will determine if any additional investigation is needed.

In addition, either party may offer new witnesses or other new evidence. The investigator will take into account the responses provided, shall pose questions to parties or witnesses as appropriate, and interview new relevant witnesses, and accept new relevant evidence.

If new relevant evidence is provided by either party, or gathered by the investigator, the newly-gathered evidence (including answers to clarifying questions) will be made available for review by each party. Each party shall have ten (10) days in which to respond to the new evidence. Each may provide a response in writing to the investigator. The investigator will incorporate any written response provided by the parties into the Summary of Evidence Report.

Duty to Identify Evidence

Any evidence to be considered by the Hearing Officer must be provided to the investigator. Information that was not provided to the investigator will not be allowed during the hearing itself, unless it can be clearly demonstrated that such information was not reasonably known to, or available to, the parties at the time of the investigation. Should new evidence be presented at the hearing, the Hearing Officer shall have the authority to either exclude the evidence, or to send the matter back for further, limited investigation.

Exclusion of Questions Regarding Complainant's Past Sexual Behavior, or Predisposition

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant and will not be permitted, unless such questions and evidence about the Complainant's prior sexual behavior are offered for one of two reasons: (a) to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or (b) 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.

Investigation Report

The investigator shall then prepare a written report summarizing all of the relevant evidence gathered and all investigative steps taken to date. For those cases in which there are allegations of other College policies, the investigator shall also make preliminary factual findings if requested to do so by the Title IX Coordinator. Each party, as well as their Advisor, shall be provided with a copy of the written report and shall have 10 days to provide a response. Upon receipt of any response(s), the investigator shall then complete the Investigation Report, which shall include as an attachment of all relevant evidence gathered during the investigation, as well as all interview notes and interview summaries, showing the original (as sent to each interviewee for review) and the revised version, after corrections or additions by each interviewee.

Conclusion of Investigation, Notice of Hearing

The Title IX Coordinator will review the final Investigation Report, with attachments. The Title IX Coordinator may require that the investigator conduct additional investigation. Once the Investigation Report is final, it shall be provided through a protected, read-only, server, together with all attachments, to each party and to their Advisor.

At the same time, each party shall be provided with a Notice of Hearing, which shall include information regarding the date of the hearing, the identity of the Hearing Officer, and any deadlines for submission of evidence, names of witnesses, or questions to be reviewed by the Hearing Officer to ensure relevance. The hearing shall be scheduled no less than 10 business days from the date of the Notice of Hearing.

Within three (3) days of receipt of the Notice of Hearing, either party may object to the Hearing Officer on the basis of a demonstrated bias or actual conflict of interest. Any objection is to be in writing and sent to Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator shall remove the Hearing Officer and appoint another.

Hearing Procedures

Hearing Advisor

Each party is entitled to one Advisor at the hearing which shall be referred to as the Hearing Advisor. The role of the Hearing Advisor is to ask questions of the other party and of witnesses, but not to advocate for, or otherwise speak on behalf of, the advisee during the hearing. No party shall be permitted to ask questions of the other party, or of a witness. A Hearing Advisor of the College's choosing shall be provided for any party who does not have a Hearing Advisor.

There will be a pre-hearing meeting with each party at which time, should the Complainant or Respondent not have a Hearing Advisor, one shall be assigned.

Hearing

Hearings may be conducted in person or via video-conferencing. If by video- conference, prior to the hearing, the Hearing Officer shall have received instruction regarding the operation of any audio-visual equipment for the hearing. The Hearing Officer shall also provide

the participants instructions on how to participate in the video- conference hearing. No Complainant or Respondent or witness will be compelled to participate in the hearing. However, the Title IX Coordinator may choose to continue with the hearing in the absence of the Complainant, Respondent or any witness. The Hearing Officer may not take into consideration in either the hearing or in their final determination the statements made during the investigation of any individual who does not participate in the hearing and submit to questioning.

Each hearing shall be recorded by the Hearing Officer and this recording will be considered the only official recording of the hearing. No other individual is permitted to record while the hearing is taking place. The recording is the property of the College but shall be available for listening by contacting the Title IX Coordinator.

The Complainant, Respondent, and the Hearing Officer all have the right to call witnesses. Witnesses must have information relevant to the incident. No party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of the College's investigation. Each party shall submit to the Hearing Officer the names of witnesses they would like to call no less than five (5) days in advance.

Three (3) days prior to the hearing, each party shall submit to the Hearing Officer a preliminary list of questions they wish to pose to the other party, or to a witness. If the Hearing Officer determines that any are not relevant, the Hearing Officer shall explain the reason for the exclusion of the question at the hearing. Each party, through their Advisor, shall also be permitted to ask additional questions at the hearing. In the event that a party does not appear for the Hearing, the Advisor for that party shall appear and question the other party, and witnesses.

The Hearing Officer shall have the authority to limit the time allotted to any phase of the hearing, and/or to limit the time allotted to the full hearing. Any such limitation shall be communicated to the parties no later than three (3) days before the hearing.

The Hearing Officer shall have the authority to maintain order and decorum at the hearing. The Hearing Officer also has the authority to determine whether any questions are not relevant, abusive, intimidating, or disrespectful, and will not permit such questions. Any party or witness who is disruptive may, in the discretion of the Hearing Officer, be removed and directed to continue their participation via video-conferencing. Any Advisor who is disruptive may be removed, and the Hearing Officer will appoint another Advisor for the remainder of the hearing.

Following the hearing, the Hearing Officer will then prepare a report. To the extent credibility determination needs to be made, it shall not be based on a person's status as Complainant, Respondent, or witness.

The Hearing Officer's report will include:

- The allegations;
- Description of all procedural steps;
- Findings of fact;
- Conclusion of application of facts to the Policy; and
- Rationale for each allegation.

The Hearing Officer's report shall be provided to the Title IX Coordinator. If there is no finding of responsibility, the Title IX Coordinator shall communicate the findings, along with a copy of the Hearing Officer's report, to the parties, together with procedures for appeal.

If there is a finding of responsibility, the Title IX Coordinator shall contact the appropriate sanctioning officer who will determine the sanction and notify the Title IX Coordinator of the sanctioning determination. The Title IX Coordinator will then provide each party with the Hearing Officer's report, the determination of the appropriate sanction, will inform the Complainant of any appropriate remedies, and will inform both parties of the procedure for appeals.

Sanctions and Remedies

Upon conclusion of the adjudicating process, when there is a finding of responsibility, the Complainant will be offered such remedies designed to restore or preserve equal access to the institution's education program or activity. The Title IX Coordinator will work collaboratively with the Complainant and the appropriate faculty (student) or supervisor (employee) on remedies appropriate to the situation. The Title IX Coordinator is responsible for implementation of remedies.

Persons who violate one or more of the College's policies will be disciplined. The particular form of sanction will depend on the nature of the offense, as well as any prior disciplinary history. Such sanction will be imposed pursuant to and in accordance with any and all applicable College rules, policies, and procedures. A person against whom such sanction is imposed will have a right to contest the imposition of a sanction.

Any one or more of the sanctions listed here may be imposed on a Respondent who is found responsible for a violation of the College's policies. Sanctions not listed here may be imposed in consultation with the Title IX Coordinator. Sanctions are assessed in response to the specific violation(s) and any prior discipline of the Respondent.

Possible sanctions include, but are not limited to:

Warning: Notice in writing, with documentation in the student or personnel file, that continuation or repetition of Prohibited Conduct may be cause for additional disciplinary action.

Censure: A written reprimand for violating College Policy. This conduct status specifies a period of time during which the Respondent's good standing with the College may be in jeopardy. The Respondent is officially warned that continuation or repetition of Prohibited Conduct may be cause for additional conduct action including probation, suspension, expulsion or termination from the College.

Behavioral Contract: Formal, written notice that the student Respondent will be expected to adhere to College expectations regarding their conduct as may set forth in a behavior contract. Any violation of that contract may result in further disciplinary action.

Restrictions on Access or Duties: Conditions which specifically dictate and limit the Respondent's presence on campus, restrict employment duties, and/or participation in College sponsored or related activities. The restrictions will be clearly defined and may include, but are not limited to, presence in certain buildings or locations on campus.

Restitution: Repayment to the College or to an affected party for damages (amount to be determined by the College) resulting from a violation of this Policy. To enforce this sanction, the College reserves the right to withhold its transcripts and degrees or to deny a student participation in graduation ceremonies and privileged events.

Probation: Formal, written notice that the employee is in violation of the College's policies and an expectation that the employee exhibit good behavior for a defined period of time. Any violation during the probationary period may result in further disciplinary action.

Termination of Employment: Permanent separation of the employee from the College.

Expulsion: Permanent separation of the student from the College effective immediately. Any refund of tuition or fees as result of the expulsion shall be in accordance with applicable policies. No academic credit may be earned for that semester.

Withholding Degree: The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Policy, including the completion of all sanctions imposed, if any.

Other: Other sanctions may be imposed instead of, or in addition to, those specified here. Service, education, or research projects may also be assigned.

Multiple Disciplinary Actions: More than one of the actions listed above may be imposed for any single violation.

IX. Appeals

Appeals may be filed by either party. Appeals shall be sent to the Title IX Coordinator, who will then send the appeal to the Appeals Officer. When an appeal is filed, the other party shall be notified, in writing, within one (1) business day, and shall then have five (5) days to respond to the appeal. Any party's decision not to submit a reply to an appeal is not evidence that the non-appealing party agreed with the appeal. Each party shall be allowed to meet with the Appeals Officer.

The Appeals Officer shall not have any actual conflict of interest or bias. Within three (3) days of the assigned Appeals Officer, either party may object to the Appeals Officer on the basis of an actual bias or conflict of interest. Any objection is to be in writing and sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator shall remove the Appeals Officer and appoint another.

Union Grievance Process

If a sanction is imposed upon a union member, and following an appeal under this Policy, the Respondent has a right to challenge that sanction pursuant to the grievance and arbitration provisions of a collective bargaining agreement; the arbitrator shall not have the right to change the underlying findings of the Hearing Officer or the Appeals Officer.

Appeals May be Filed Only on the Following Three Grounds:

1. ***Procedural Error:*** A procedural error occurred that significantly impacted the outcome of the investigation or hearing. A description of the error and its impact

on the outcome of the case must be included in the written appeal; or,

2. ***New Evidence:*** New evidence or information has arisen that was not available or known to the party during the investigation or hearing, and that could significantly impact the findings. Information that was known to the Appellant during the investigation or hearing but which they chose not to present is not new information. A summary of this new evidence and its potential impact on the investigation findings must be included in the written appeal; or,

3. ***Actual Conflict of Interest or Demonstrated Bias:*** The Title IX Coordinator, investigator, or decision-maker had an actual conflict of interest or demonstrated bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter.

The written appeals decision shall be sent simultaneously to both parties which describes the result of the appeal and the rationale for the result.

X. Rights, Expectations & Responsibilities

Individuals making a complaint to the Title IX Coordinator ("Complainant") and individuals responding to a complaint ("Respondent") each have rights throughout the complaint resolution and adjudication process, and may expect a fair, neutral process that will follow this policy.

Complainant and Respondent Rights

- Be treated with respect by all College officials throughout this process;
- Be informed of the available supportive measures;
- Be free of any form of retaliation and free to report such retaliation for disciplinary action;
- Obtain a mutual no contact directive with the other party upon request;
- Be accompanied by one Advisor throughout the process, including at any interviews or hearing;
- An adequate, reliable, impartial and prompt investigation of the allegations conducted within a reasonable period of time after a Formal Complaint is filed;
- Receive written notice of the date, time and location of any interview scheduled with the investigator;
- Be informed of the status of the investigation, to the extent possible;
- Review all evidence which is directly related to the allegations prior to the conclusion of the investigation;
- Meet with the investigator and present information on their own behalf, identify witnesses or other third parties who might have relevant information, and identify or provide relevant documents or other information that may be helpful to the investigation;
- Have past unrelated behavior excluded from the investigation process;
- Question the selection of the investigator or Hearing Officer on the basis of an actual conflict of interest or demonstrated bias;
- Have a Hearing Advisor of the College's choosing provided, at no charge, for purposes of asking questions of the other party or witnesses during the hearing proceeding;
- Be notified of the hearing outcome and any sanctions applied, if applicable;
- Initiate and participate in an appeal process;
- Waive any of the rights contained herein.

Respecting Privacy

The College is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this Policy. With respect to any report under this Policy, the College will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to take steps to eliminate Prohibited Conduct, prevent its recurrence, 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).

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

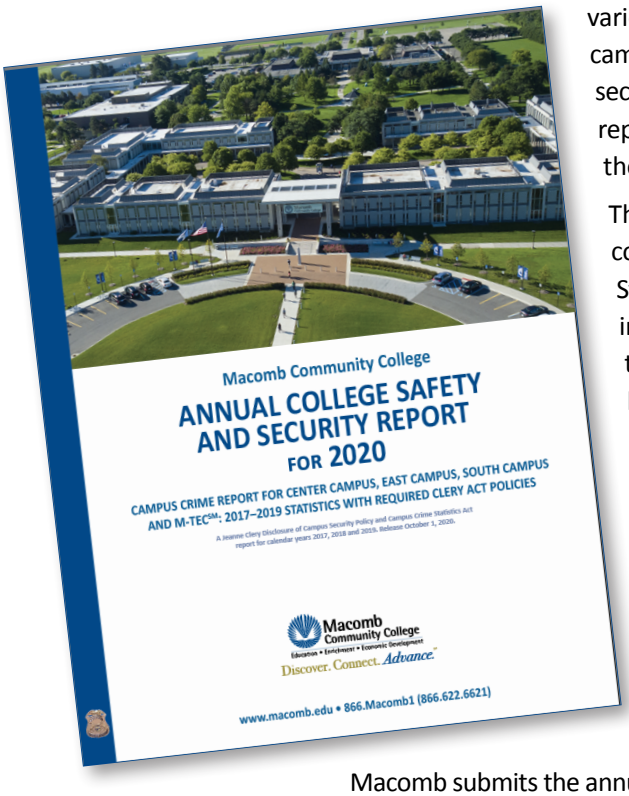
- It is never okay to force or coerce any individual to engage in sexual activity.
- Be aware that "force" can be emotional coercion, verbal pressure and intimidation as well as physical force.
- Trust your instincts, stand up for yourself, and be willing to "make a scene."
- Support your friends. Intervene 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.

POLICE
OFFICER
TUEBOR
MACOMB COLLEGE

Disclosure of Crime Statistics—Clery Act

In 1990, Congress enacted the Crime Awareness and Campus Security Act (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 and is now known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act").

Compliance with the Clery Act requires institutions like Macomb Community College to adhere to various mandates. One of those requirements involves timely notification to the campus community of certain crimes or incidents that are (a) reported to campus security authorities or local police agencies, and (b) considered by the institution to represent a serious or continuing threat to students and employees. Additionally, the Act requires the college to compile and publish a list of crime statistics.



The Macomb Community College Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The process by which the annual disclosure of crime statistics occurs includes the statistics reported to the Macomb Community College Police and those pertinent to the Macomb Community College Police from our neighboring law enforcement departments. Additionally, a request is made annually for campus security authorities to provide statistical information to include in the report. Once completed, the report is placed on our website. Notice of the report and its availability is distributed in all applications for employment, student enrollment packages, new hire packages, and emailed to all current students and employees once annually. A printed version may be requested from the Macomb Community College Police Department at Center Campus, I Building, Room 103 or South Campus, K Building, Room 340.

The United States Department of Education collects and maintains criminal statistics at institutions of higher learning consistent with Clery Act requirements. Macomb submits the annual crime statistics to the United States Department of Education, and are made available to the public on their website.

Annually, we contact the local police departments adjacent to our campuses to request their appropriate crime statistics related to Macomb Community College campuses. See Crimes by Campus Site for those qualifying statistics. The following agencies have been contacted and provided information relative to college campuses.

Center Campus	South Campus	East Campus	M-TEC	ATC Campus
Clinton Township	Warren/Roseville	Clinton Township	Warren	Clinton Township
Macomb County	Macomb County	Macomb County	Macomb County	Macomb County
Michigan State Police	Michigan State Police	Michigan State Police	Michigan State Police	Michigan State Police
Michigan Department of Natural Resources	Michigan Department of Natural Resources	Michigan Department of Natural Resources	Michigan Department of Natural Resources	Michigan Department of Natural Resources

Macomb Community College has no residential facilities. Reported crimes may involve individuals not associated with the institution.

Macomb Community College—Crime Statistics 2019–2021

Crime Statistics—Center Campus 2019–2021

OFFENSE	YEAR	CENTER CAMPUS	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
RAPE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
FONDLING	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
INCEST	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
STATUTORY RAPE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ROBBERY	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
AGGRAVATED ASSAULT	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DOMESTIC VIOLENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DATE VIOLENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0

Crime Statistics—Center Campus 2019–2021

OFFENSE	YEAR	CENTER CAMPUS	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
STALKING	2019	8	0	0
	2020	0	0	0
	2021	1	0	0
BURGLARY	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
MOTOR VEHICLE THEFT	2019	0	0	0
	2020	1	0	0
	2021	1	0	0
ARSON	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: WEAPONS (CARRYING, POSSESSING, ETC.)	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DISCIPLINARY REFERRALS: WEAPONS (CARRYING, POSSESSING, ETC.)	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0

Crime Statistics—South Campus 2019–2021

OFFENSE	YEAR	SOUTH CAMPUS	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
RAPE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
FONDLING	2019	0	0	0
	2020	1	0	0
	2021	0	0	0
INCEST	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
STATUTORY RAPE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ROBBERY	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
AGGRAVATED ASSAULT	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DOMESTIC VIOLENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DATE VIOLENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0

Crime Statistics—South Campus 2019–2021

OFFENSE	YEAR	SOUTH CAMPUS	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
STALKING	2019	1	0	0
	2020	0	0	0
	2021	0	0	0
BURGLARY	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
MOTOR VEHICLE THEFT	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARSON	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: WEAPONS (CARRYING, POSSESSING, ETC.)	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DISCIPLINARY REFERRALS: WEAPONS (CARRYING, POSSESSING, ETC.)	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2020	0	0	3
	2021	0	0	2
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	1	0	0
	2020	0	0	0
	2021	0	0	0

Crime Statistics—East Campus 2019–2021

OFFENSE	YEAR	EAST CAMPUS (EMERGENCY SERVICES TRAINING CAMPUS)	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
RAPE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
FONDLING	2019	1	0	0
	2020	0	0	0
	2021	0	0	0
INCEST	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
STATUTORY RAPE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ROBBERY	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
AGGRAVATED ASSAULT	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DOMESTIC VIOLENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DATE VIOLENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0

Crime Statistics—East Campus 2019–2021

OFFENSE	YEAR	EAST CAMPUS (EMERGENCY SERVICES TRAINING CAMPUS)	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
STALKING	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
BURGLARY	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
MOTOR VEHICLE THEFT	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARSON	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: WEAPONS (CARRYING, POSSESSING, ETC.)	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DISCIPLINARY REFERRALS: WEAPONS (CARRYING, POSSESSING, ETC.)	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0

Crime Statistics—M-TEC℠ Campus 2019–2021

OFFENSE	YEAR	M-TEC℠ CAMPUS	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
RAPE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
FONDLING	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
INCEST	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
STATUTORY RAPE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ROBBERY	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
AGGRAVATED ASSAULT	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DOMESTIC VIOLENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
DATE VIOLENCE	2019	0	0	0
	2020	0	0	0
	2021	0	0	0

Crime Statistics—M-TEC℠ Campus 2019–2021

OFFENSE	YEAR	M-TEC℠ CAMPUS	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
STALKING	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
BURGLARY	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
MOTOR VEHICLE THEFT	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
ARSON	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: WEAPONS (CARRYING, POSSESSING, ETC.)	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
DISCIPLINARY REFERRALS: WEAPONS (CARRYING, POSSESSING, ETC.)	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2020	0	0	0
	2021	0	0	0

Crime Statistics—Advanced Technology Center (ACT) 2021

OFFENSE	YEAR	ATC (2021 ONLY)	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2021	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2021	0	0	0
RAPE	2021	0	0	0
FONDLING	2021	0	0	0
INCEST	2021	0	0	0
STATUTORY RAPE	2021	0	0	0
ROBBERY	2021	0	0	0
AGGRAVATED ASSAULT	2021	0	0	0
DOMESTIC VIOLENCE	2021	0	0	0
DATE VIOLENCE	2021	0	0	0

Crime Statistics—Advanced Technology Center (ACT) 2021

OFFENSE	YEAR	ATC (2021 ONLY)	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
STALKING	2021	0	0	0
BURGLARY	2021	0	0	0
MOTOR VEHICLE THEFT	2021	0	0	0
ARSON	2021	0	0	0
ARRESTS: WEAPONS (CARRYING, POSSESSING, ETC.)	2021	0	0	0
DISCIPLINARY REFERRALS: WEAPONS (CARRYING, POSSESSING, ETC.)	2021	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2021	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2021	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2021	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2021	0	0	0

Macomb Community College—Hate Crime Statistics 2019–2021

Hate Crimes

No hate crimes were reported in 2019, 2020, and 2021. Hate crimes are offenses that manifest evidence of prejudice based on race, religion, sexual orientation, gender, ethnicity, disability, gender identity, or national origin.

OFFENSE	YEAR	CENTER CAMPUS	SOUTH CAMPUS	EAST CAMPUS (EMERGENCY SERVICES TRAINING CAMPUS)	M-TEC℠ CAMPUS	ATC (Advanced Technology Center 2021 only)	NON CAMPUS PROPERTY	PUBLIC PROPERTY
UNFOUNDED CRIMES	2019	0	0	0	0	N/A	0	0
	2020	0	0	0	0	N/A	0	0
	2021	0	0	0	0	0	0	0

Crime Definitions:

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Arson

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

Burglary

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safe cracking; and all attempts to commit any of the aforementioned.

Criminal Homicide—Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide—Murder and Non-Negligent Manslaughter

The willful (non-negligent) killing of one human being by another.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship would be determined 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, dating violence would include, but would not be limited to, sexual or physical abuse or the threat of such abuse. Additionally, the proposed definition would specify that dating violence does not include acts that meet the definition of "domestic violence."

Domestic Violence

A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under VAWA or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

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).

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.)

Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress. Course of conduct would be defined to mean two or more acts, including, but not limited to, acts in 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. Substantial emotional distress would mean significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Notification of Final Results

The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offence. If the alleged victim is deceased as a result of such crime or offence, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Geography Definitions from the Clery Act

Non-Campus Building or Property

Includes any building (or property) owned or controlled by student organizations recognized by the school; and any building or property, owned or controlled by the school, that is not within the same reasonable contiguous area.

On Campus

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to the institution's educational purposes. These buildings include residential halls, any building or property that is owned by the institution but controlled by another person, those frequently used by students and those that support institutional purposes such as a food or retail vendor.

Public Property

Public property is defined as the area that is within the same reasonably contiguous geographic area of the school; or is adjacent to a facility owned or controlled by the school, and the facility is used by the school in a manner related to the institution's educational purpose.

APPENDIX

Sex Offenses—Definitions

As per the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program. State Of Michigan Statute does not provide a definition for Consent for these offences.

SEX OFFENSES—FORCIBLE

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 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).

Forcible Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly 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 Assault with an Object

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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 incapacity.

SEX OFFENSES—NON-FORCIBLE

Incest

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

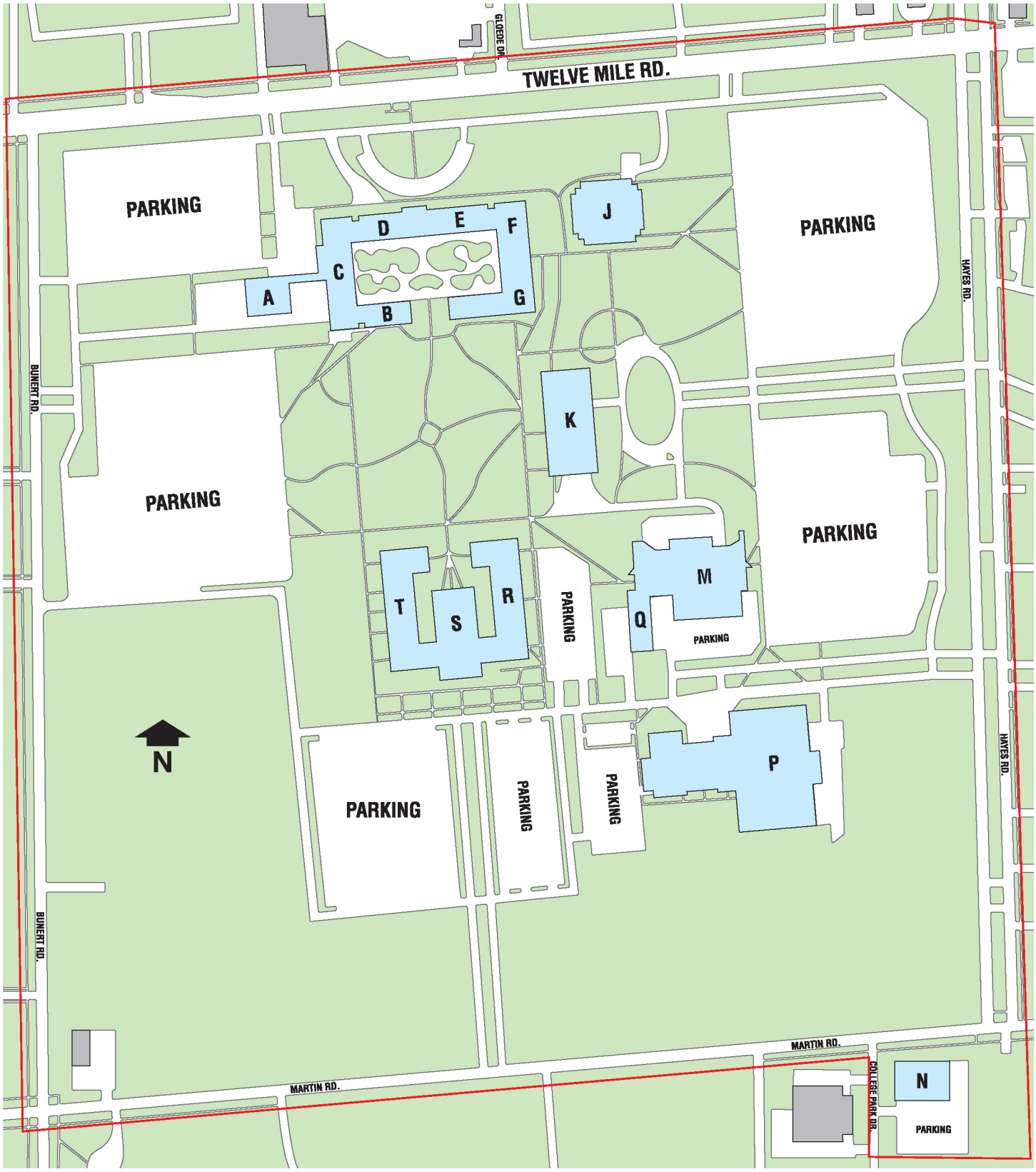
Statutory Rape

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

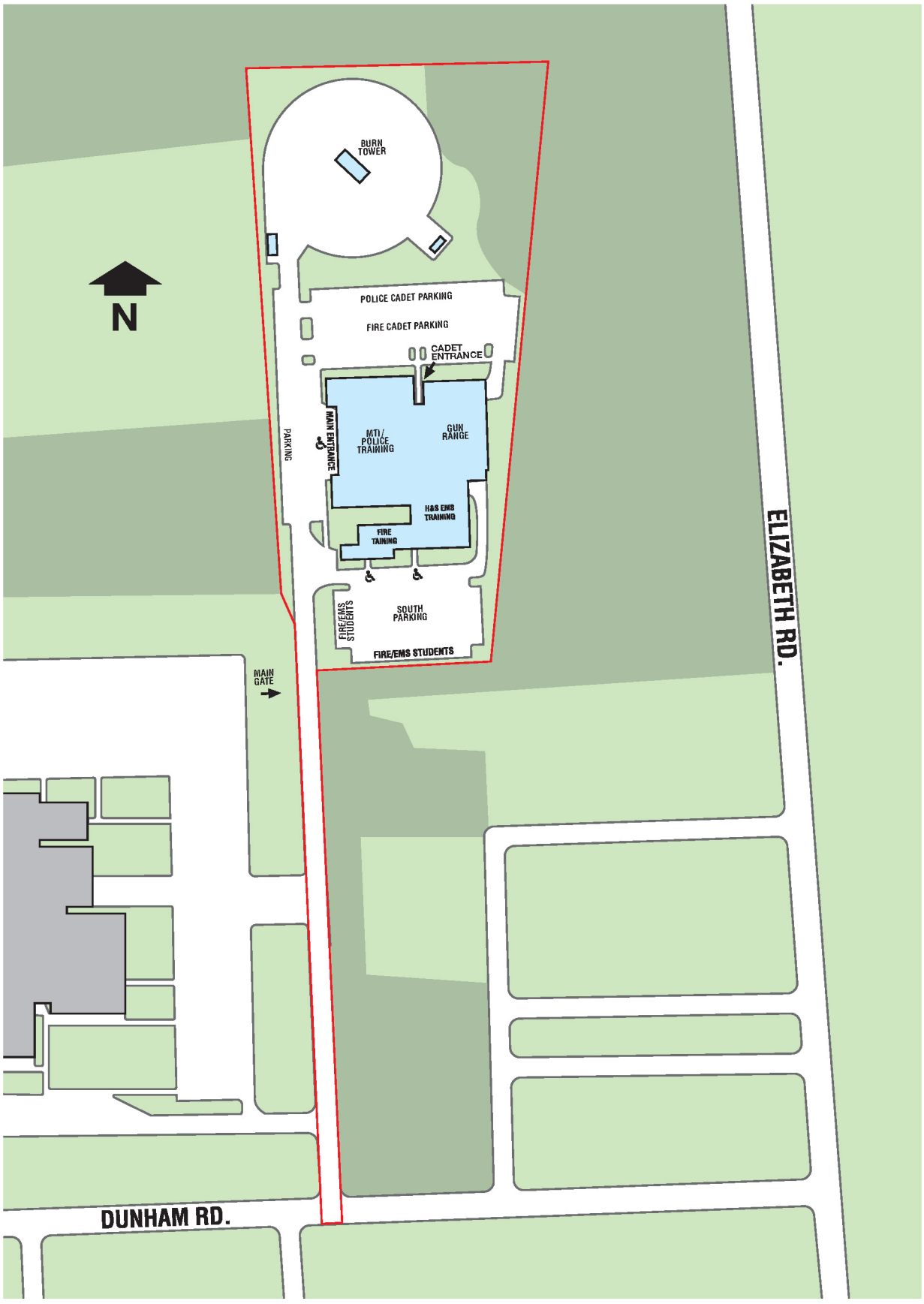
Center Campus Area of Reporting Responsibility



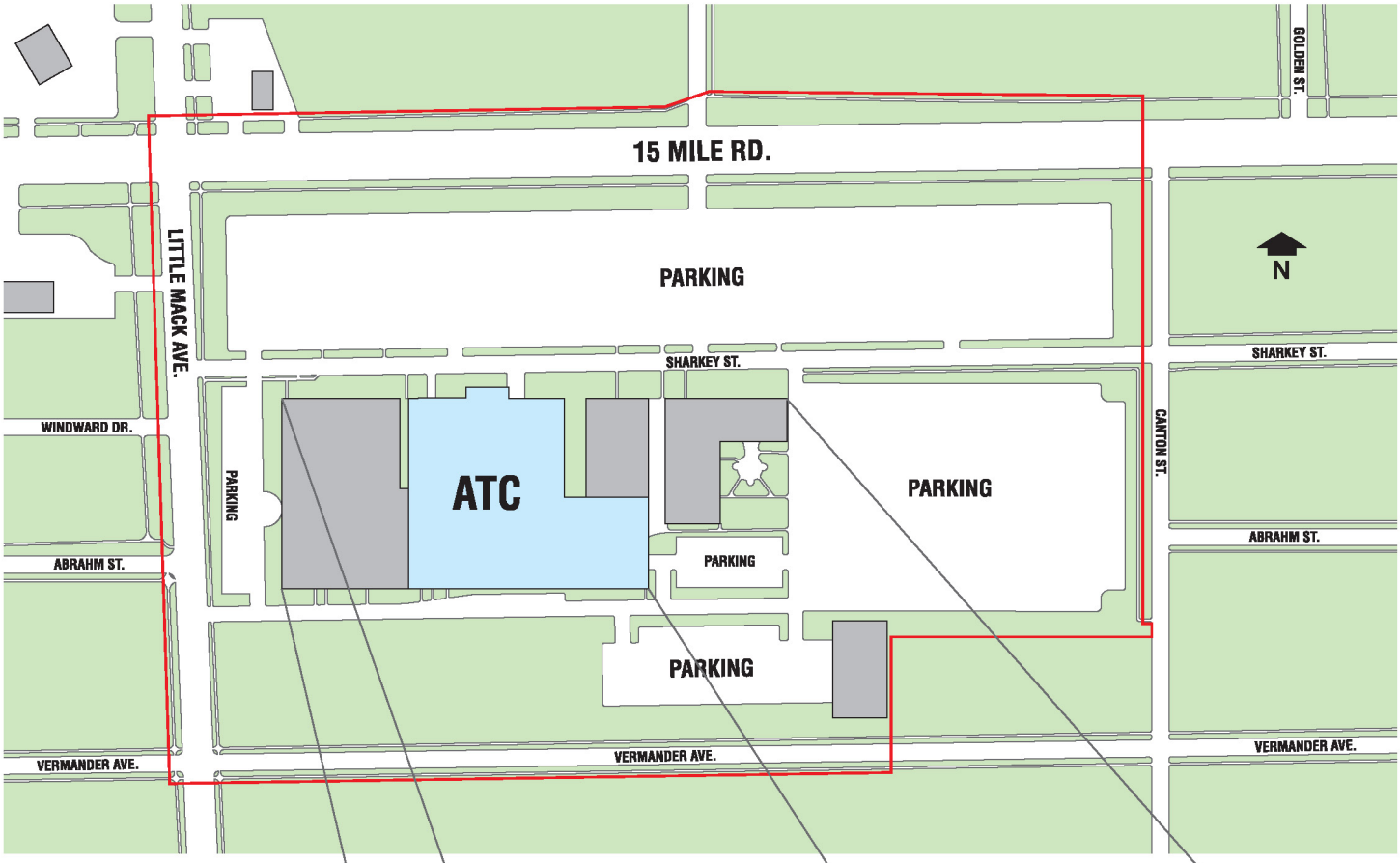
South Campus Area of Reporting Responsibility



East Campus Area of Reporting Responsibility

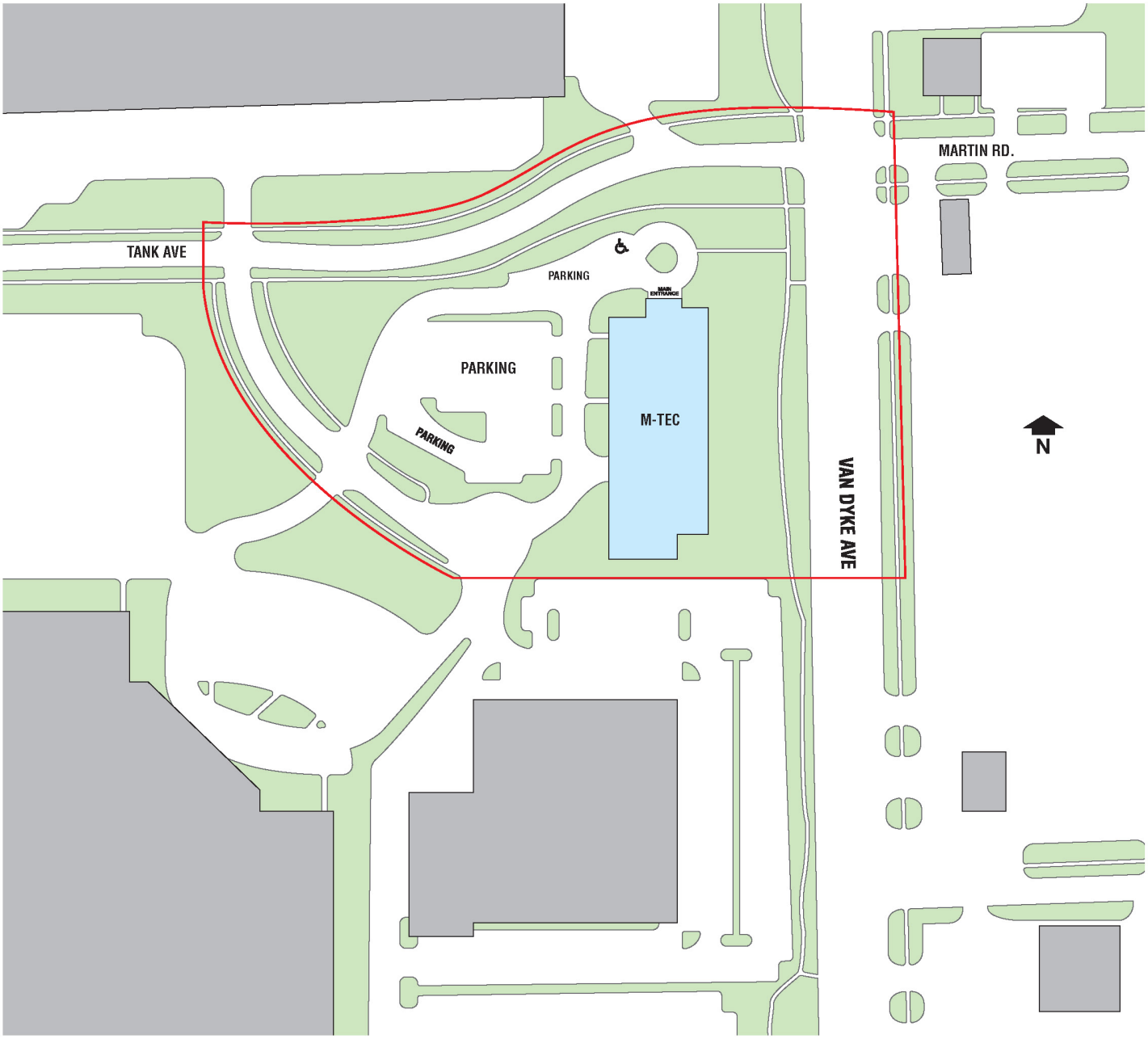


Advanced Technology Center Area of Reporting Responsibility



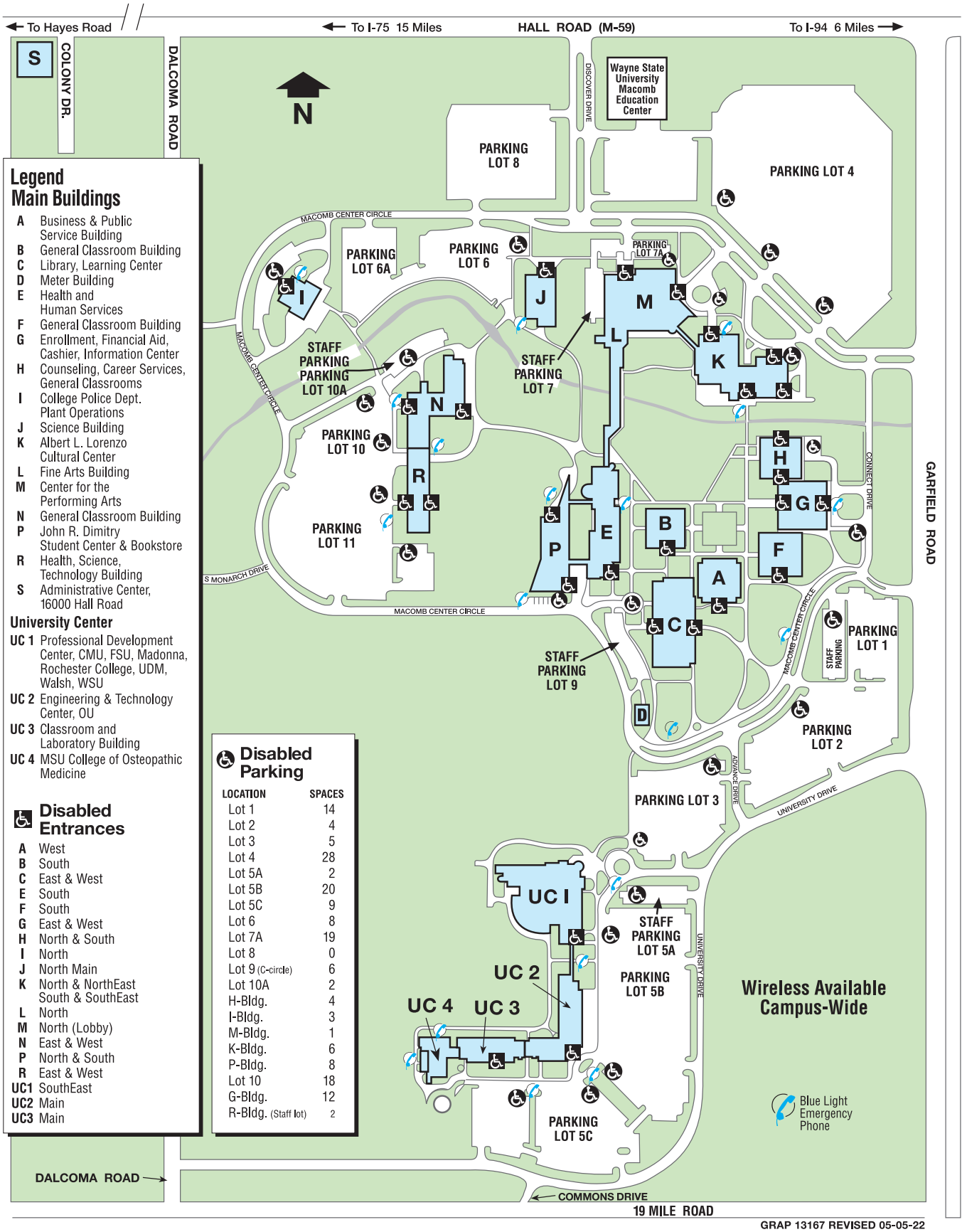


M-TEC℠ Area of Reporting Responsibility



Center Campus

44575 Garfield Road, Clinton Twp., MI 48038-1139 • 1.866.Macomb1 • www.macomb.edu



Legend
Main Buildings

- **A** Business & Public Service Building
- **B** General Classroom Building
- **C** Library, Learning Center
- **D** Meter Building
- **E** Health and Human Services
- **F** General Classroom Building
- **G** Enrollment, Financial Aid, Cashier, Information Center
- **H** Counseling, Career Services, General Classrooms
- **I** College Police Dept. Plant Operations
- **J** Science Building
- **K** Albert L. Lorenzo Cultural Center
- **L** Fine Arts Building
- **M** Center for the Performing Arts
- **N** General Classroom Building
- **P** John R. Dimitry Student Center & Bookstore
- **R** Health, Science, Technology Building
- **S** Administrative Center, 16000 Hall Road

University Center

- **UC 1** Professional Development Center, CMU, FSU, Madonna, Rochester College, UDM, Walsh, WSU
- **UC 2** Engineering & Technology Center, OU
- **UC 3** Classroom and Laboratory Building
- **UC 4** MSU College of Osteopathic Medicine

Disabled Entrances

- **A** West
- **B** South
- **C** East & West
- **E** South
- **F** South
- **G** East & West
- **H** North & South
- **I** North
- **J** North Main
- **K** North & NorthEast South & SouthEast
- **L** North
- **M** North (Lobby)
- **N** East & West
- **P** North & South
- **R** East & West
- **UC1** SouthEast
- **UC2** Main
- **UC3** Main

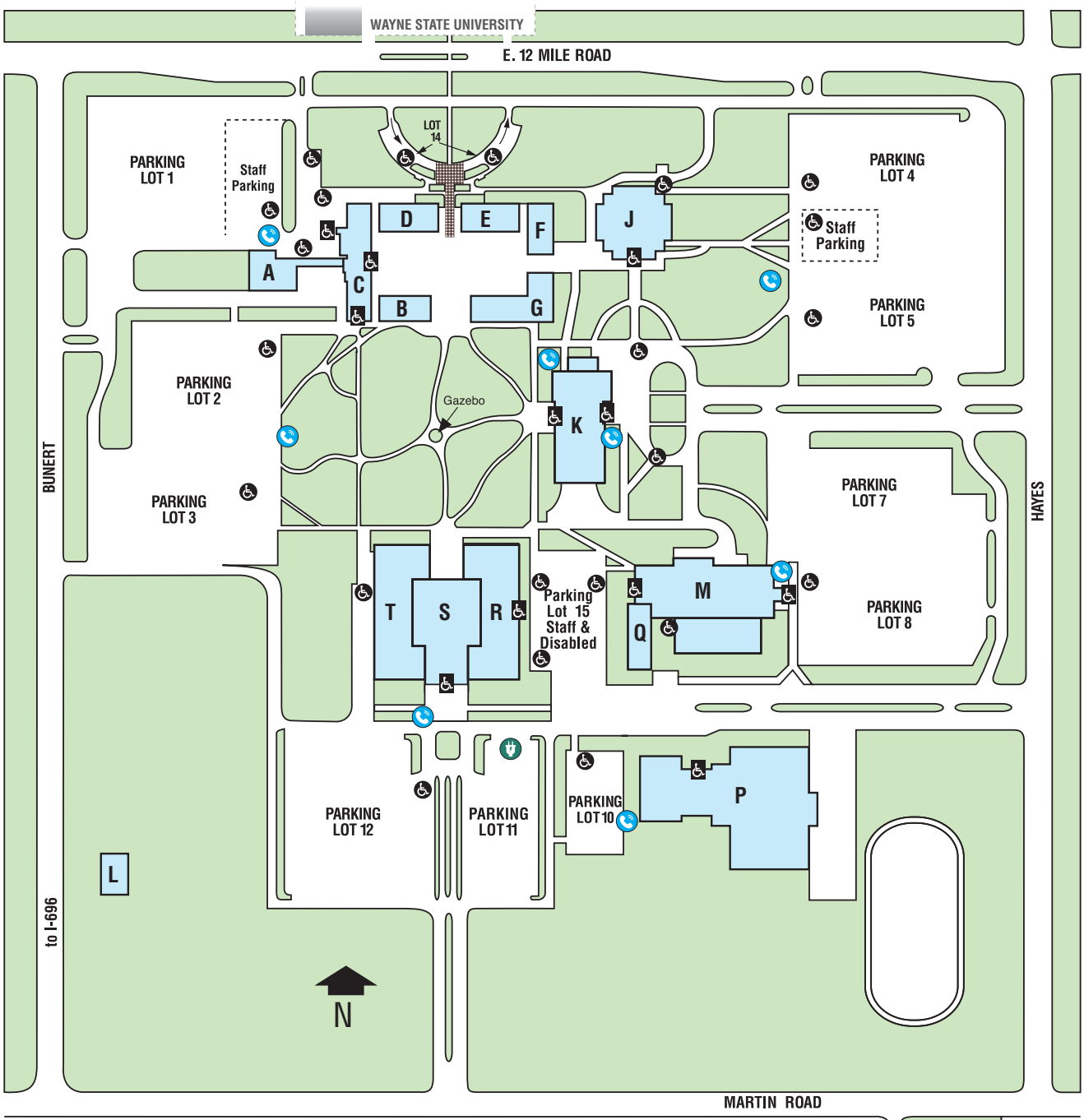
Disabled Parking

LOCATION	SPACES
Lot 1	14
Lot 2	4
Lot 3	5
Lot 4	28
Lot 5A	2
Lot 5B	20
Lot 5C	9
Lot 6	8
Lot 7A	19
Lot 8	0
Lot 9 (C-circle)	6
Lot 10A	2
H-Bldg.	4
I-Bldg.	3
M-Bldg.	1
K-Bldg.	6
P-Bldg.	8
Lot 10	18
G-Bldg.	12
R-Bldg. (Staff lot)	2

GRAP 13167 REVISED 05-05-22

South Campus

14500 E. 12 Mile Road, Warren, MI 48088-3896 • 1.866.Macomb1 • www.macomb.edu



GRAP 13168 REVISED 05/17/22

LEGEND—MAIN BUILDINGS

- **A** Boiler House
- **B** Science Classrooms
- **C** Classrooms
- **D** Administration
- **E** Classrooms
- **F** Classrooms
- **G** Classrooms, Admissions Career Services, Cashier, Counseling, Financial Aid
- **J** Library (The Max Thompson Learning Media Center)
- **K** John Lewis Student Community Center, College Police, Bookstore
- **L** Bunert Conference Center
- **M** Transportation and Energy Technology
- **N** Dental Clinic
- **P** Sports & Expo Center
- **Q** Boiler House

Robert E. Turner Advanced Technology Center

- **R** Media & Comm. Arts/Technology
- **S** The Walter E. Bradley Auditorium
- **T** Mechanical Technology

Disabled Parking

Location	Spaces	Location	Spaces
Lot 1A Staff	3	C-Bldg	19
Lot 2	7	J-Bldg	1
Lot 3	4	K-Bldg	11
Lot 4	11	T-Bldg	2
Lot 4 Staff	7	N-Bldg	6
Lot 5	7		
Lot 8	14		
Lot 10	18		
Lot 12	8		
Lot 14	9		
Lot 15 Staff	8		

Blue Light Emergency Phone

Elec.Vehicle Outlet

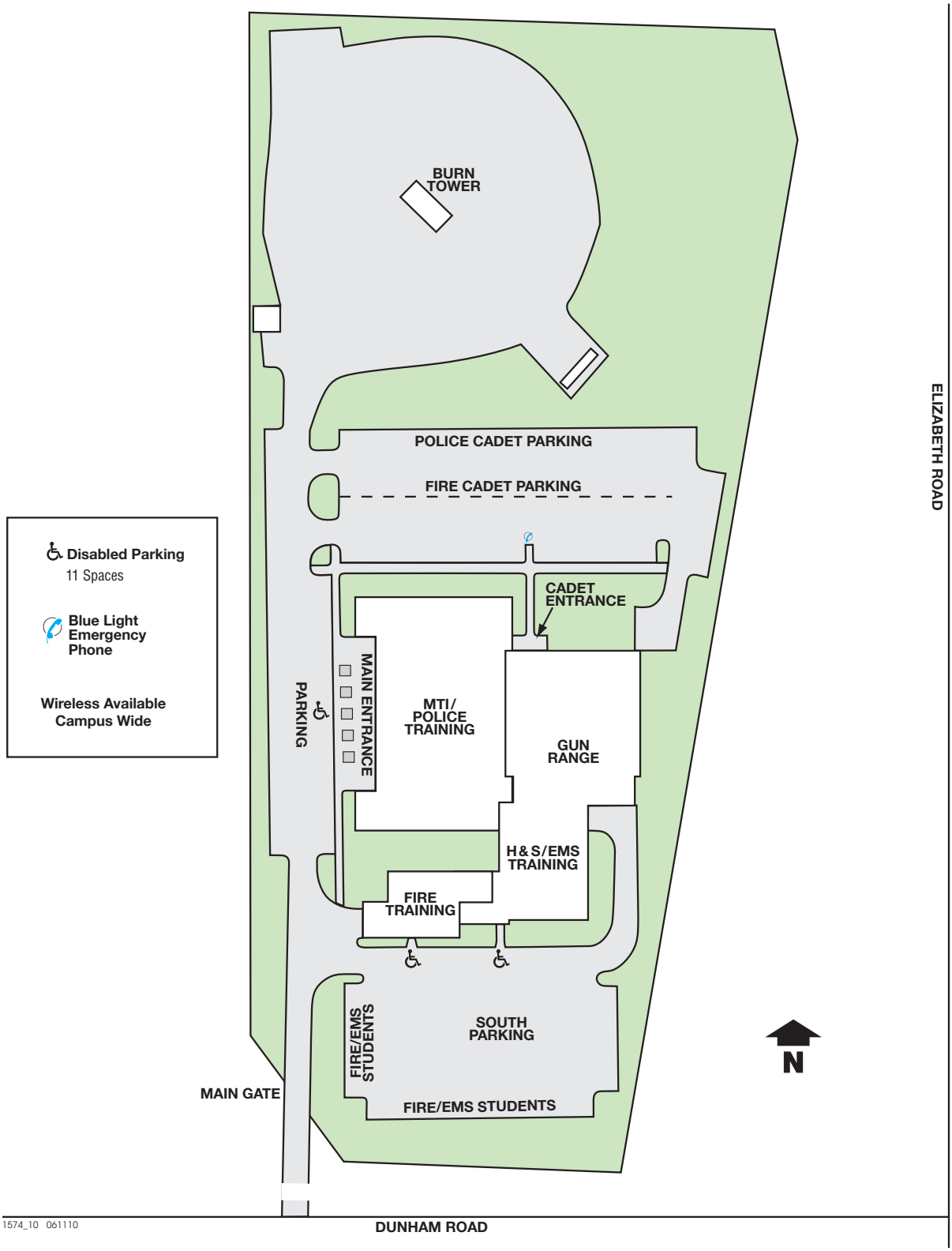
Disabled Entrances

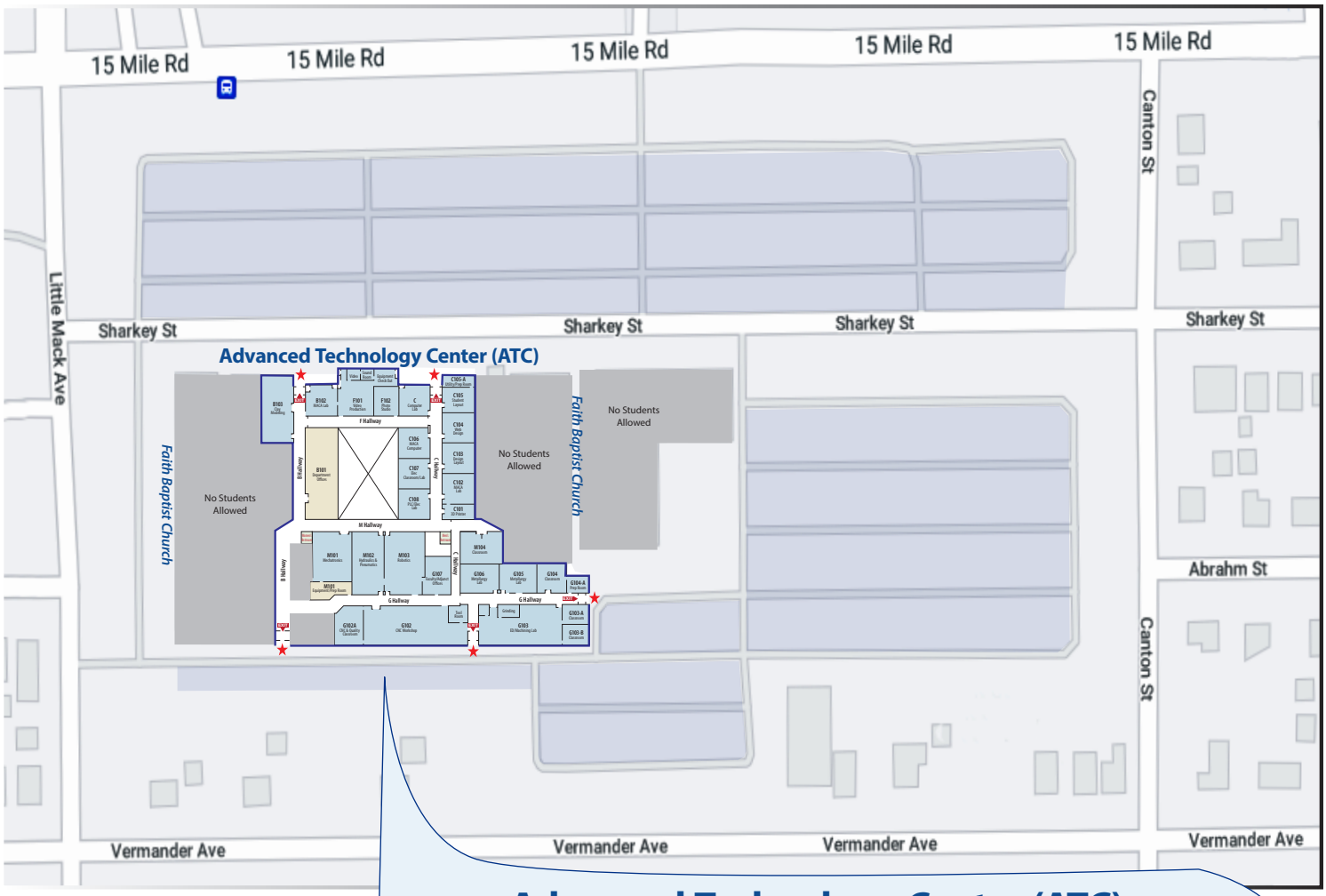
- **C** East, West & South
- **J** Main
- **K** East & West
- **M** East & West
- **R** East Middle
- **P** North
- **M-TEC** Main

Wireless Available Campus Wide

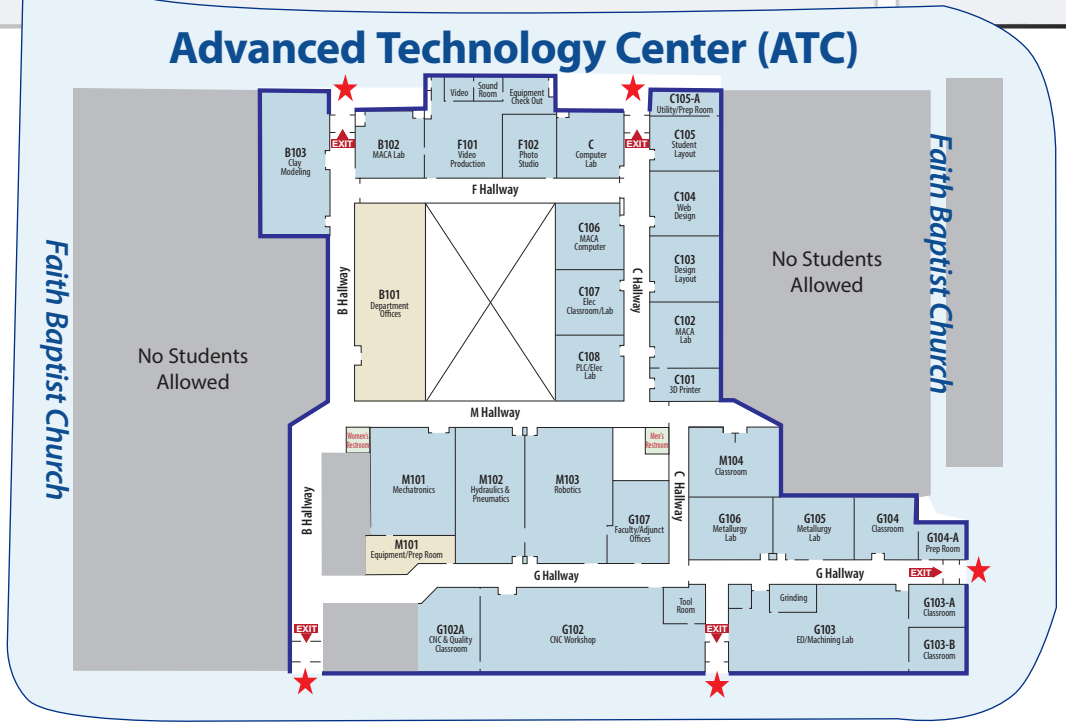
East Campus

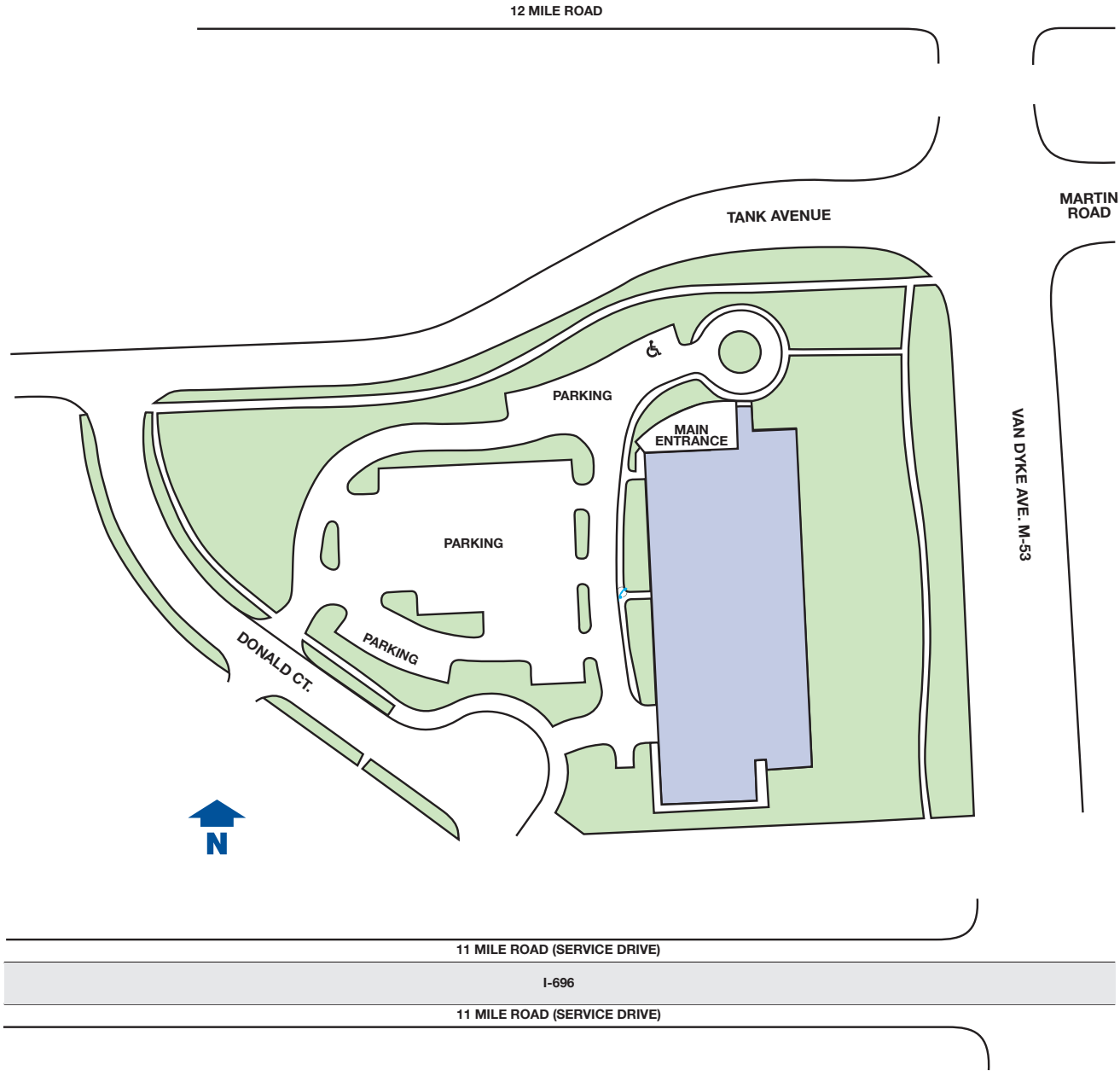
21901 Dunham Road, Clinton Township, MI 48036 • 1.866.Macomb1 • www.Macomb.edu





Advanced Technology Center (ATC)





Disabled Parking
4 Spaces

Blue Light Emergency Phone

Wireless Available Campus Wide

POLICE
OFFICER
TUEBOR
MACOMB COLLEGE

Macomb Community College Board of Trustees

Macomb Community College's operations are overseen by a seven-member board of trustees. They are elected by Macomb County residents and serve six-year terms without pay.

The board is responsible for appointing a president, setting fiscal and operational policy, and making decisions that determine the short- and long-range direction of the college.



James O. Sawyer IV, Ed.D.
College President



Katherine Lorenzo
Chairperson



Joan Flynn
Trustee



Frank Cusumano
Vice Chairperson



Shelley Vitale
Trustee



Kristi Dean
Secretary



Vincent Viviano
Trustee

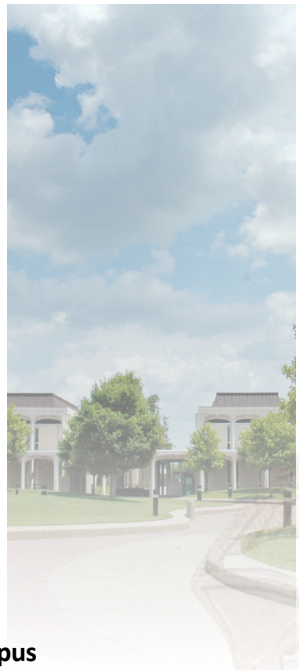
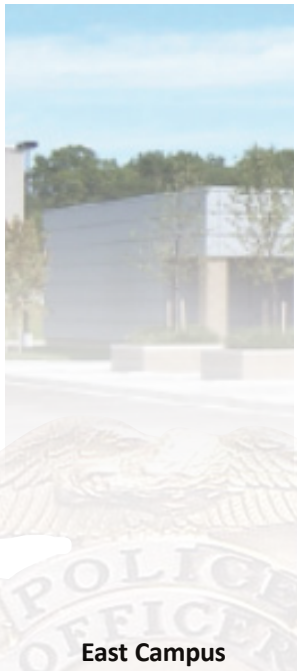


Roseanne DiMaria
Treasurer

POLICE
OFFICER
TUEBOR
MACOMB COLLEGE

POLICE
OFFICER
TUEBOR
MACOMB COLLEGE

Campus Locations



Center Campus
44575 Garfield Road
Clinton Township, MI 48038-1139
586.445.7135

East Campus
21901 Dunham Road
Clinton Township, MI 48036
586.498.4050

Macomb University Center
44575 Garfield Road
Clinton Township, MI 48038-1139
586.263.6253

South Campus
14500 E. 12 Mile Road
Warren, MI 48088-3896
586.445.7135

Advanced Technology Center (ATC)
34950 Little Mack Avenue
Clinton Township, MI 48035
584.445.7999

Macomb Administrative Center
16000 Hall Road
Clinton Township, MI 48038
586.445.7885

Michigan Technical Education Center (M-TEC℠)
7900 Tank Avenue
Warren, MI 48092-3936
586.498.4100

Macomb Community College
Education • Enrichment • Economic Development
Discover. Connect. *Advance.*℠

MACOMB COMMUNITY COLLEGE BOARD OF TRUSTEES
Katherine Lorenzo, Chairperson
Frank Cusumano, Vice Chairperson
Kristi Dean, Secretary
Roseanne DiMaria, Treasurer
Joan Flynn, Trustee
Shelley Vitale, Trustee
Vincent Viviano, Trustee

James O. Sawyer IV, Ed.D., College President

GRAP15681