

# **St. Clair County Community College Clery Act Annual Security Report**

**2016 Data**





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# Table of Contents

<p><b>Emergency Notifications</b> ..... 1</p> <p style="padding-left: 20px;">Methods to Make Public Notifications .... 1</p> <p><b>Timely Warnings</b>..... 2</p> <p><b>Campus Crime and Security</b> ..... 2</p> <p><b>Reporting Criminal Offenses</b> ..... 3</p> <p style="padding-left: 20px;">Crime Reporting..... 3</p> <p style="padding-left: 20px;">Daily Crime Log ..... 4</p> <p style="padding-left: 20px;">Confidential Reporting ..... 4</p> <p><b>Access to Campus Facilities &amp; Maintenance Facilities</b> ..... 4</p> <p><b>Scope of Campus Law Enforcement</b> ..... 5</p> <p style="padding-left: 20px;">Campus Patrol..... 5</p> <p style="padding-left: 20px;">Campus Patrol Incident Reports ..... 5</p> <p><b>Security Awareness Programs for Students and Employees</b>..... 6</p> <p><b>Use / Possession of Alcoholic Beverages</b>..... 6</p> <p><b>Use / Possession of Illegal Drugs</b> ..... 7</p> <p><b>Enforcement of Federal &amp; State Law</b> ..... 8</p> <p><b>Substance Abuse Services</b>..... 8</p> <p><b>Emergency Response and Evacuation</b>..... 8</p> <p><b>Sexual Assault Offenses</b> ..... 9</p> <p style="padding-left: 20px;">Purpose ..... 9</p> <p style="padding-left: 20px;">Authority..... 10</p> <p style="padding-left: 20px;">Definitions ..... 10</p> <p style="padding-left: 20px;">Reporting Requirements ..... 12</p> <p style="padding-left: 20px;">Prevention, Awareness and Education Programs ..... 14</p> <p style="padding-left: 20px;">Responsibilities of the Institution ..... 16</p>	<p>VAWA Appendix A..... 17</p> <p><b>MI Public Sex Offender Registry</b> ..... 18</p> <p><b>Written Disclosure</b> ..... 18</p> <p><b>SC4 Clery Crime Statistics</b> ..... 19</p> <p style="padding-left: 20px;">Unfounded Reports..... 19</p> <p style="padding-left: 20px;"><a href="#">Criminal Offenses Data Table</a> ..... 20</p> <p style="padding-left: 20px;"><a href="#">VAWA Offenses Data Table</a>..... 21</p> <p style="padding-left: 20px;"><a href="#">Arrest Liquor/Drug/Weapon Data Table</a>..... 21</p> <p style="padding-left: 20px;"><a href="#">Referred for Disciplinary Action Data Table</a>..... 21</p> <p><b>Sex Offense Definitions</b> ..... 22</p> <p style="padding-left: 20px;">Sex Offenses Forcible..... 22</p> <p style="padding-left: 20px;">Sex Offenses Non-Forcible ..... 23</p> <p><b>Crime Definitions</b>..... 23</p> <p><b>VAWA Definitions</b>..... 25</p> <p><b>Clery Definitions</b>..... 25</p> <p><b>Clery Geography Definitions</b> ..... 27</p>
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# Emergency Notification

Whenever possible, the College will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The areas that this emergency notification applies to includes the College's main campus, public property immediately adjacent to the campus, and in or on non-campus buildings or property that the College owns or controls.

A member of the Crisis Team is responsible for confirming the existence of a significant emergency or dangerous situation. Emergencies or dangerous incidents may include, in part:

- Disease outbreaks such as meningitis, norovirus or other serious illnesses
- Approaching tornadoes or other extreme weather conditions
- Gas leaks, explosions, fires, and chemical or hazardous waste spills
- An armed intruder, bomb threat, or civil unrest and riot

Examples of situations that would not necessitate an emergency notification, though the College may elect to notify the campus and campus community, may include:

- Power outage
- Snow closure
- A string of simple larcenies

SC4 Campus Patrol personnel, considering the safety of the students and employees, will immediately notify emergency personnel via **911**, and a member of the Crisis Team will initiate the notification system when appropriate. The Crisis Team will determine what information to release, the relevant portions of the campus and campus community to be notified, and the means for making public the emergency notification. The College may not immediately issue a notification if doing so would compromise efforts to assist a victim, respond to or contain the emergency, or otherwise mitigate the emergency.

## Methods to Make Public Notifications

The methods used to make public and emergency notification may include but are not limited to:

- The College Portal, email, and its public website
- Social media
- Mobile phone and texting services
- Public address system
- Staff office desktop telephones
- Local radio and television
- If necessary, a messenger
- Posting in a readily accessible public area of each building

Follow-up information, such as an "All clear" message may be given as deemed appropriate.

Campus Patrol personnel are in regular communication with local law enforcement through requests of their cooperation in informing the College of significant emergencies and dangerous situations reported to them that could require an emergency response.

# Timely Warnings

In the event of Clery Act reportable crimes reported to Campus Patrol personnel that have occurred on the College's campus, or on public property within or immediately adjacent to the campus, the College will issue timely warnings regarding any incidents that are considered to represent a serious or continuing threat to students and employees. Timely warnings may be issued for threats to persons or property, and may aid in the prevention of similar crimes. In the event that a situation arises, either on or off campus, that in the judgment of the Crisis Team constitutes an ongoing or continuing threat, a campus wide timely warning will be issued.

The timely warning will be initiated to students, faculty and staff from Campus Patrol by the methods listed in the "Methods to Make Public Notifications" section on page one of this report. The College regularly communicates with local law enforcement, requesting their assistance of informing the College about crimes reported to them that may warrant timely warnings.

Timely warnings may not be issued for non-Clery Act reportable crimes if they do not create a significant emergency or dangerous situation that would require an immediate notification. The College is not required to issue a timely warning for Clery Act reportable crimes reported to pastoral or professional counselors.

Anyone with information warranting a timely warning should report the circumstances to an SC4 Campus Patrol Officer either in person or by telephone at **810.989.5757**.

# Campus Crime and Security

## *ST. CLAIR COUNTY COMMUNITY COLLEGE BOARD POLICY 2.12 - CAMPUS CRIME AND SECURITY*

### *Policy*

*The Board of Trustees of St. Clair County Community College shall comply with all applicable requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and any amendments thereto (hereinafter the "Clery Act").*

*The administration is authorized to establish procedures to accomplish the above goal.*

### *Administration*

- 1. Administration will prepare, publish and distribute materials which comply with the Clery Act. Such materials shall initiate the procedure for students and employees to report criminal activity, arrange for security at the campus facilities, and develop programs to inform the students and employees about campus security and crime prevention.*
- 2. Administration shall report crimes as they occur on the College Campus to the local police agencies as required.*

3. *Administration shall develop and periodically review rules and regulations for the implementation of the procedures set forth herein and for carrying out the College's responsibilities and duties under the Clery Act.*
4. *Administration shall report to the Board at least annually concerning the compliance with the Clery Act and the statistical information required.*
5. *Administration shall work and cooperate with the local, state and federal law enforcement agencies in connection with the prevention of crime and compliance with the Clery Act.*
6. *Administration, in preparing the necessary procedures to comply with the Clery Act, shall take into account other policies of this Board dealing with use of alcohol or illegal drugs on the College campus.*

*Approved by Board of Trustees - October 15, 1992 Revised: January 21, 2010*

## **Reporting Criminal Offenses**

### **Crime Reporting**

Criminal offenses in progress, medical emergencies, fires, suspicious people and all serious incidents should be first reported to emergency responders by dialing **911**, then to Campus Patrol personnel at **810.989.5757** or from any College telephone to extension **5757**. Calls to local law enforcement authorities can also be made utilizing the "blue light emergency" telephones located throughout campus and in parking areas. The College is equipped with a system that will inform 911 of your location or room number, when dialed from Campus. Individuals with a hearing impairment can call the St. Clair County Central Dispatch at 810.985.8115 for TTY access or use the Sorenson Video Relay Service system which will allow members of the deaf community to communicate with anyone over the phone, whether making a call to SC4 or by using the system to make an outgoing call. The Sorenson system (located in the Veteran's Study Lounge in room A101 of the LRC) places the deaf caller in contact with a professional American Sign Language interpreter through a videophone or other compatible device, using a high-speed Internet connection. The number to call to reach the campus line is (810) 479-4463. Assistance for handicap individuals is also available on Campus in the Academic Achievement Center located in the College Center, or at extension **5558**.

Prompt calls to emergency responders and Campus Patrol are encouraged. If the victim is unable to report the crime, it is the expectation of the College that anyone aware of the crime should report all known details to Campus Patrol personnel as soon as possible. A person may also report crimes to the Vice President of Human Resources & Title IX Coordinator at **810.989.5537**, or to the Vice President of Student Services & Communications **810.989.5561**. These reports will be used, in part, in the preparation for the annual disclosure of crime statistics, while maintaining confidentiality in accordance with federal and state laws.

You will be asked to accurately report your location and the reason for the call. Be prepared to give as much information as possible to the call-taker. Whether the call is placed to Campus Patrol, or to a law enforcement agency, personnel will respond if necessary to investigate the complaint. Responding personnel may request additional resources if needed to resolve the incident. Reports may be made to

document the situation. A determination will be made by the Crisis Team to assess the need for a Timely Warning or Emergency Notification to be disseminated.

The College will monitor and record through local police agencies any criminal activity by students at non-campus locations of student organizations officially recognized by the college.

### **Daily Crime Log**

The College maintains a written daily crime log which is kept in the Campus Patrol office. This crime log records the incidents that occurred within the College's Clery geography, as reported to Campus Patrol. The nature of the incident, date and time of the occurrence, its general location, and the disposition of the complaint are included.

The College must make an entry, or an addition to an entry in the log, within two business days of the report of the information to Campus Patrol, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim. The College may withhold this information if there is clear and convincing evidence that the release of the information would:

- Jeopardize an ongoing criminal investigation or the safety of an individual.
- Cause a suspect to flee or evade detection.
- Result in the destruction of evidence.

The College must disclose any information withheld once the adverse effect described above is no longer likely to occur.

The crime log is available for student, employee, and public inspection for the most recent 60-day period, upon request during normal business hours. The portion of the crime log that is older than 60 days is available within two business days of a request for public inspection.

### **Confidential Reporting**

The College will protect the confidentiality of victims and other necessary parties in publically available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim. The College will take all reasonable steps to investigate reported crimes while maintaining confidentiality to the extent permitted by law. Crimes must be reported to Campus Patrol by students, faculty and staff to ensure inclusion in the College's annual crime statistics and to provide a timely warning notice to the college community when necessary. Campus Patrol must report all crimes. Campus Patrol personnel, along with members of the Crisis Team are responsible for the security and emergency response at the College.

## **Access to Campus Facilities & Maintenance of Facilities**

The College operates its own Campus Patrol department to provide security for the campus whenever possible. In an effort to provide a safe environment, Campus Patrol personnel routinely check for, and observe, campus facilities to identify potential safety and security threats or hazards. When necessary,

Campus Patrol notifies the Maintenance Department, or other relevant personnel, to have identified hazards corrected or removed.

Campus buildings are normally open to students, instructors, staff, parents and contractors by 7:00 am, and closed by 10:00 pm Monday through Thursday, 7:00 am to 8:00 pm on Friday. Saturday hours vary due to intermittently scheduled events. During non-business hours authorized personnel with issued keys and alarm code accounts may access particular buildings.

Access to buildings and facilities is regulated through mechanical access control, monitored alarm control, push button combination door locks, camera systems, and physical surveillance. The campus is well lit on the exterior and interior of the buildings, within walkways, and in parking areas. This lighting is routinely monitored by Campus Patrol and maintenance staff.

The College does not have any campus residences.

## **Scope of Campus Law Enforcement**

### **Campus Patrol**

Campus Patrol is a uniformed security detail that responds to many differing calls for service from students, faculty, and staff. Campus Patrol officers do not possess arrest powers as state certified police officers. Campus Patrol officers have the authority to ask persons for identification and to determine whether individuals have a lawful business at the College.

For the 2016 academic calendar year there were six Campus Patrol officers within the unit ready to serve during business hours when students were on campus. These officers conducted their patrols on foot, by vehicle, and periodically by bicycle as conditions warranted. In an effort to enhance safety, Campus Patrol officers received ongoing training throughout the academic year in areas relevant to their duties.

### **Campus Patrol Incident Reports**

Since the College does not employ its own police department, criminal acts are investigated by local area law enforcement authorities. Victims of crimes are strongly encouraged to notify these law enforcement authorities in a timely manner by first dialing **911**, and then notifying Campus Patrol. Incidents may result in a campus patrol report being completed. All Campus Patrol reports are forwarded to the Chief Operating Officer, Vice President of Human Resources & Title IX Coordinator, Vice President of Student Services & Communications and to other College Administrative staff as appropriate. Campus Patrol also contacts law enforcement when contacted by victims, by-standers, or when made aware of incidents when appropriate.

Reports will be investigated as deemed necessary. Violations of the law will be referred to law enforcement agencies, the College's Chief Operating Officer, Vice President of Human Resources & Title IX Coordinator, Vice President of Student Services & Communications and when appropriate, to other Administrative staff for review. When a potentially dangerous threat to the campus community arises, timely warnings may be issued as noted previously in this report.



Campus Patrol maintains a working relationship with local, state, and federal law enforcement agencies in the area through personal meetings and telephone communications. There are currently no memorandums of understanding between Campus Patrol and local law enforcement.

## **Security Awareness Programs for Students and Employees**

During new student orientations, which are held at varying times of the academic year on the Port Huron Campus, students are informed of security and safety services offered by the College. Students are provided with information to contact Campus Patrol personnel for the services provided which include: security escorts, lost & found property, room unlocks, low or dead vehicle battery, low or flat tire, vehicle out of gas, keys locked in vehicle, frozen door locks, disorderly complaints, fact-finding and documentation of claim, emergency response, provide directions, security of college property, on campus injury or illness, publish crime statistics, suspicious situations/persons, parking enforcement and vehicle accident reports.

Written materials within the Student Portal are available outlining ways to maintain personal safety and security while on campus. Similar information is presented to new employees as well, as they progress through the orientation process.

Periodically during the academic year, the College disseminates security information to students and employees through portal announcements, posters, pamphlets, and displays. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

When time is of the essence, information is released to the College community and throughout the campus by the methods listed in the “Methods to Make Public Notifications” section on page one of this report.

## **Use/Possession of Alcoholic Beverages**

### *ST. CLAIR COUNTY COMMUNITY COLLEGE BOARD POLICY 2.4 – USE OF ALCOHOLIC BEVERAGES*

#### *Policy*

*No alcoholic beverages whatsoever will be allowed on the College premises, except as such may be used in direct relation to instructional programs at the College or for College-sponsored events that have received prior approval, in writing, from the Office of the President. The use of alcohol in College instructional programs or College-sponsored events is subject to applicable laws and regulations, including but not limited to age restrictions relating to the possession and consumption of alcoholic beverages. It will be the responsibility of the individual in charge of the instructional program or event where alcohol may be used to ensure compliance with applicable laws and regulations.*

#### *Administration*

- 1. For instructional programs, authorization to purchase and use alcohol must be secured in writing from the appropriate dean prior to purchase.*

2. *For College-sponsored events, authorization to serve alcoholic beverages at the event must be secured in writing from the Office of the President prior to scheduling the event.*
3. *Any purchase of alcoholic beverages for such programs or events shall be purchased through local retail outlets and should not exceed the amount anticipated to be used during the semester of an instructional program or during a sponsored event.*
4. *It will be the responsibility of the individual in charge of the instructional program or event to ensure the alcoholic beverages are properly stored and secured and that any supplies of such are inventoried and accounted for on a regular basis.*

*Approved by Board of Trustees – December 8, 1977*

*Revised: October 12, 1978*

*Revised: July 14, 1988*

*Revised: December 11, 2008*

## **Use/Possession Illegal Drugs**

### *ST. CLAIR COUNTY COMMUNITY COLLEGE BOARD POLICY 2.9- DRUG-FREE WORKPLACE*

#### *Policy*

*The Board of Trustees of St. Clair County Community College acknowledges that the illicit use of drugs and the abuse of alcohol by students or by employees is detrimental not only to the health and well-being of the employees and students, but is also detrimental to the discharge of their respective responsibilities. Such use, possession or dispensing of illicit drugs or abuse of alcohol is inconsistent with the College purposes of higher education and the College's attitude toward the use of drugs or alcohol by its students and employees. (A.) It shall be the policy of this College that there shall be no illicit use of drugs or abuse of alcohol allowed by students or employees on the College's property or at or as a part of any institutional activity. (B.) No employee or student shall unlawfully manufacture, distribute, dispense, possess or use any controlled substance or abuse of alcohol while on the College property or at any institutional activity.*

#### *Administration*

1. *Any employee or student who shall violate the policy as set forth above shall be subject to discipline up to and including dismissal from employment or removal from the institution.*
2. *Any employee who is working in a grant program shall agree to abide by the terms of this policy and shall agree to notify the College of any criminal drug statute conviction or violation occurring on the College premises. Such notification shall be made within five (5) days after such conviction. Employees acknowledge that the College will be notifying the federal funding agency of the grant of any such actual conviction. Employees and students are advised that the College will take appropriate disciplinary action against them for violating this policy including termination of employment or exclusion from school, and may require such employee or student having been so convicted to participate in a drug abuse assistance or rehabilitation program approved by a federal, state or local governmental law enforcement agency or appropriate agency. In addition, employees and students violating this policy will be advised of the counseling and/or treatment and rehabilitation programs available including those operated through the County Mental Health.*

3. *It is the College's intention by establishing this drug-free and alcohol abuse workplace requirement that all employees and students will be aware of and advised of the dangers and abuses of using illicit drugs or of abusing the use of alcohol and the College's commitment to maintain a drug-free and an abuse of alcohol free campus.*
4. *It is the intention of the College to, on an annual basis, make this policy and other information concerning the health risks associated with the use of illicit drugs and abuse of alcohol available to the employees and students.*

*Approved by Board of Trustees - July 13, 1989*

*Revised: May 10, 1990*

*Revised: November 19, 2009*

## **Enforcement of Federal and State Law**

The College supports the enforcement of federal and state laws concerning underage drinking and illicit drugs. Penalties for the violation of these laws, and the harm that these substances can cause can be found at <http://staging.sc4.edu/drug-prevention-program-policy/>

## **Substance Abuse Services**

The College can refer its employees and students to services offered by a local substance abuse agency for the purpose of education, prevention, and assistance in rehabilitation. Interested employees can contact Human Resources in room 206 of the Main Building, or by calling 810.989.5534. Interested students can contact Advising in room 251 of the Welcome Center, or by calling 810.989.5520. All inquiries are confidential.

## **Emergency Response and Evacuation**

An emergency will be investigated by emergency first responders and/or Campus Patrol. Once Campus Patrol is aware of an emergency, a member of the Crisis Team, or other assigned College administrator, will respond to the scene. Once a significant emergency has been confirmed, the following will occur immediately:

- The responding College administrator will ensure that **911** has been called.
- The College will immediately assemble the Crisis Team which will determine the appropriate response, and the appropriate segment of the campus that should receive notification of the event if needed.
- The Crisis Team will determine the content of the notification to be sent and how members of the campus should respond to the event, unless it is determined that the message would compromise efforts to assist a victim, respond to, or to mitigate an emergency.
- A member of the Crisis Team will direct Campus Patrol to initiate and notify the campus community of the event without delay. Campus Patrol may use tools as identified in the “Methods to Make Public Notifications” section on page one of this report.

The College will test its emergency communication procedures, response and evacuation procedures at least once a year or more if deemed necessary as directed by the Crisis Team. In addition, the College will debrief incidents to evaluate campus response for self-improvement. These tests may be announced, or unannounced. False alarms may occur and will be recorded as such. A record of testing will be published yearly in this report along with the emergency response procedures. This report is posted annually to the campus community via the portal. Records of the testing will be maintained by the Vice President of Human Resources & Title IX Coordinator or his/her designee.

Event Type	Date Time	Location	Announced or Unannounced
InfoCast Public Address	3/18/2016 @ 06:45AM	All Buildings	Unannounced
Fire Drill	3/18/2016 @ 9:00AM	Main Bldg.	Unannounced
Fire Drill	4/15/2016 @ 9:00 AM	College Center	Unannounced
Tornado Shelter Awareness	5/13/2016 during various business hours	Campus Wide	Announced
Fire Drill	5/27/2016 @ 9:00AM	Clara E McKenzie Bldg.	Unannounced
Fire Drill	6/3/2016 @ 9:00AM	Fine Arts Bldg.	Unannounced
Fire Drill	7/22/2016 @ 9:00AM	AJ Theisen Bldg.	Unannounced
Fire Drill	8/5/16 @ 11:30AM	Welcome Center	Unannounced
Fire Drill	9/9/2016 @ 8:30AM	North Bldg.	Unannounced
Fire Drill	10/7/2016 @ 9:00AM	Applied Tech Bldg.	Unannounced
Fire Drill	11/4/2016 @ 9:00AM	Main Bldg.	Unannounced

## Sexual Assault Offenses

### *ST. CLAIR COUNTY COMMUNITY COLLEGE ADMINISTRATIVE PROCEDURE*

*Name:* Violence Against Women Act (VAWA) - REPORTING OF SUSPECTED SEXUAL MISCONDUCT  
*Effective:* July 1, 2015  
*Initiator / Author:* Administrative Services/Student Services  
*Board Policy:* 2.1, Compliance  
*Federal Regulation:* Violence Against Women Act (VAWA) – Campus Sexual Violence Elimination Act (SAVE)

#### **1.0 INTRODUCTION**

##### **1.1 PURPOSE**

*The purpose of this guideline is to provide information and direction to staff, faculty and students of St. Clair County Community College (SC4) regarding the mandatory federal requirements related to the Violence Against Women Act amendments to the Clery Act; and to affirm the commitment of SC4 to the protection of the safety and welfare of the SC4 community. SC4 prohibits crimes of:*

- *Sexual violence*
- *Dating violence*

- *Domestic violence*
- *Stalking*

## **1.2 AUTHORITY**

*The requirements addressed in this procedure implement the mandatory Violence Against Women Reauthorization Act of 2013 (VAWA) ([Pub. L. 113-4](#)), which, among other provisions, amended section 485(f) of the HEA, otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) which expands rights afforded to campus survivors of sexual assault, domestic violence, dating violence and stalking as they apply to SC4. Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S. C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).*

## **1.3 DEFINITIONS:**

*Definitions include but are not limited to the following when addressing sexual misconduct. Sexual misconduct is any action of a sexual nature that occurs without consent. VAWA Terms and Definitions.<sup>1</sup>*

### **Sexual Assault**

*An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.*

### **Sex Offenses:**

#### **1. Fondling**

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

#### **2. Incest**

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

#### **3. Rape**

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

#### **4. Statutory Rape**

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

#### **5. 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;*

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<sup>1</sup> Sources: FBI UCR Program, NIBRS User Manual, SRS FBI User Manual, 2013 Clery Center for Security on Campus; US Dept. of Education Handbook for Safety and Security, SC4 College Catalog

- *By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or former intimate partner;*
- *By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;*
- *By any 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 of which the crime in violence occurred.*

#### **6. Dating Violence**

- *Violence committed by a person who is, or has been in a social relationship, romantic or intimate nature with the victim.*
- *The existence of such a relationship shall 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 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.*
- *Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.*

#### **7. Stalking**

*Engaging in a course of conduct directed at a specific person that would cause a reasonable person:*

- *To fear for the person's safety or the safety of others;*
- *To suffer substantial emotional distress.*

*For the purposes of this definition:*

- *Course of conduct means 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.*
- *Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.*
- *Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.*
- *Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.*

## 8. *Hate Crimes*

*Include incidents of bias such as: race, gender, religion, sexual orientation, ethnicity, disability, gender identity and national origin for the offenses of: murder/non-negligent manslaughter, forcible and non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny, simple assault, intimidation, destruction/damage/vandalism of property.*

### **Consent**

*Inflicting any sexual invasion/assault upon any person without that person's consent is prohibited. "Consent" requires actual words or conduct indicating a freely-given agreement to have sexual intercourse, or to participate in sexual activities. The college community should be aware that, depending on the particular circumstances, previous sexual relationships or a current relationship between the persons involved, or silence or lack of protest does not necessarily constitute consent. Further, the degree of impairment of a person's ability to give or withhold consent (including, but not limited to, incapacity or helplessness caused by alcohol or any other drugs) may be introduced as pertinent information at any college disciplinary hearing.<sup>2</sup>*

*"Employee" is defined as any person, who performs official duties on behalf of SC4, is compensated directly by the College, and is subject to the College's direction and control. It also means, all official volunteers; it does not include any other person or employees of independent contractors.<sup>3</sup>*

## 2.0 **REPORTING REQUIREMENTS**

*A victim of sexual assault may report the assault to the College's Campus Patrol at 810.989.5757, to the Vice President of Human Resources & Title IX Coordinator at 810.989.5537 or to the Vice President of Student Services & Communications at 810.989.5561.*

*Prompt calls are encouraged. If the victim is unable to report the crime, it is the expectation of the College that anyone aware of the crime should report all known details to one of the individuals noted above as soon as possible.*

*The College will take all reasonable steps to investigate the reported sexual assault while maintaining confidentiality to the extent permitted by law.*

### **A. Reporting requirements for SC4 employees**

1. *An oral report shall be made as immediately as is practicable, of the event that caused the employee to believe that a person on campus or at a college activity has been subject to sexual violence.*
  - a. *To the President of the College or to the person designated by the President to receive such reports ("the President's designee"). The President's designee is the Vice President of Human Resources & Title IX Coordinator*
  - b. *Institutional investigator shall be trained in investigation and shall provide confidentiality to the extent permitted by law.*
    - I. *Reporting to law enforcement as required including but not limited to discussion with victims on reporting options.*
    - II. *See attached Appendix A for faculty "Code of Ethics."*

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<sup>2</sup> Source: SC4 College Catalog

<sup>3</sup> Source: MCCRMA

## **B. Reporting Requirement for All Other Persons**

*Members of SC4, to include staff, students and contractors on campus, are also required to report suspected sexual violence incidents as follows:*

- 1. Such individuals shall report orally or in writing to:*
  - a. The President of the College or the President's designee, when the suspected violation;*
    - I. Took place in College facilities or on College property;*
    - II. Was committed by a current, former employee or volunteer of SC4;*
    - III. Occurred in connection with a college sponsored, recognized or approved program, visit, activity or camp, regardless of location;*
    - IV. Took place while the victim was a registered student or visitor at the institution.*

## **C. Reporting Victim Rights; Disciplinary Rights<sup>4</sup>**

*If a student or employee reports to the College that they have been a victim of sexual assault, domestic violence, dating violence or stalking, the College can provide them with a written explanation of their rights and options. The College can facilitate accommodations to the victim's academic, living, transportation, working situations, as well as with protective measures while maintaining confidentiality to the extent permitted by law after an alleged sexual assault, domestic violence, dating violence or stalking. Accommodations or protective measures can also be facilitated regardless if the victim chooses to report the crime to Campus Patrol, the Vice President of Human Resources & Title IX Coordinator, the Vice President of Student Services & Communications, or to local law enforcement. The College can give notice of the options for those changes, if they are requested by the victim and are reasonably available.*

*Procedures for filing, conducting, and/or appealing campus disciplinary actions in cases of alleged sexual assault, domestic violence, dating violence and stalking related offenses can be found at the College's website by visiting <http://staging.sc4.edu/resources/> or in the Student Handbook at <http://catalog.sc4.edu/content.php?catoid=4&navoid=381>. The type of disciplinary proceeding deemed necessary and the anticipated timelines will be determined based on the circumstances of the event from the Student Code of Conduct Violations and Due Process sections I and II. The investigation shall be led by an individual free from any conflicts of interest relating to the allegations brought forth by the complainant. The proceedings will be prompt, fair, impartial, and conducted by College personnel assigned who has received annual training on investigating issues related to sexual assault, domestic violence, dating violence, and stalking. Whenever possible, efforts shall be made to complete the investigation within 60 calendar days of the complaint being filed. Both, the complainant and the accused, will be given timely notification of meetings at which one or the other, or both, may be present and will be provided timely and equal access to information to be used during these meetings and/or hearings.*

*If disciplinary action is pursued for an alleged sexual assault, domestic violence, dating violence or stalking event through the College's procedures, both the victim and the accused are entitled to have others present during the proceeding in accordance with College policies and procedures. During a disciplinary proceeding, the standard of evidence used will be found*

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<sup>4</sup> Source: VAWA checklist from Clery Center for Security on Campus



*in section II of the College's Student Code of Conduct Violations and Due Process procedures. Both the victim and the accused shall be informed in writing of the outcome of the proceeding. If the alleged victim of the sexual assault, domestic violence, dating violence or stalking event is deceased as a result of the offense, the next of kin of the victim shall be informed of the proceeding. College disciplinary sanctions for offenders include reprimand or censure, probation, restrictions of privileges, loss or dismissal of course credit, denials or revocations of honors or degrees, suspension and expulsion, to include other sanctions which may be imposed in addition to those above. Students may be directed to have no contact with other students and/or may be forbidden to access specified areas of campus.*

### **3.0 Prevention, Awareness and Education Program(s)**

*College shall include sexual assault, domestic violence, dating violence, and stalking policy statements, information in the Annual Security Report as required under the Clery Act.*

*College shall provide information focused on the prevention of dating violence, domestic violence, sexual assault and stalking in all employee and student orientations and make the information available in key locations throughout campus through communication forms such as printed brochures, online web and portal announcements, posters and digital displays on campus.*

*College shall conduct annual educational sessions on campus focused on the prevention of dating violence, domestic violence, sexual assault and stalking to include but not limited to guest speakers.*

#### **Educational Programs Content Outline:**

*The College is committed in its attempt to provide a safe and secure environment. The awareness, prevention and survival of sexual assault, domestic violence, dating violence and stalking are an important aspect of this. Annually, in cooperation with academic and student service departments, Campus Patrol and with other outside community and local government organizations, the College presents the “**Sexual Assault Awareness, Prevention and Survival Program**” in a campaign to increase the knowledge base of its students, employees and the campus community. In addition, the College distributes education brochures and includes information in new student orientation on VAWA-Sexual Misconduct.*

*A sample education program outline follows:*

#### **Overview:**

- *Awareness of situations, acts, personal demeanor, and body language that persons can avoid in an effort to decrease their vulnerability through risk reduction in becoming a victim of sexual assault, domestic violence or dating violence.*
- *“Consent” definition*
- *Current laws regarding sexual assault, domestic violence, dating violence, stalking, victim's rights and how they work in the legal system. Points of interest covered included notification by the victim to law enforcement in a timely manner for evidence retention, the differentiation of sexual assault charges, how they apply and penalties that arise from convictions to these various legal charges.*
- *Methods of risk reduction to avoid becoming a victim of sexual assault by means of “Date Rape Drugs” in public and social gatherings, plus the negative effects of these drugs on their victim's ability to recognize actions that may be leading to an assault, resist the assault or even remember the assault having occurred.*
- *Where and how to find help for sexual assault, domestic violence, dating violence and stalking through various community out-reach based groups and organizations.*

- *Safe and positive options for bystander intervention – actions that may be carried out by an individual or individuals to prevent harm or to intervene in situations of potential harm when there is a risk of sexual assault, domestic violence, dating violence or stalking against an individual. Effective bystander intervention empowers participants to recognize situations of potential harm by overcoming barriers to intervening and by identifying safe and effective intervention options.*

**Should a Sexual assault, Domestic Violence, Dating Violence or Stalking Occur**

*In the event that a sexual assault, domestic violence, dating violence or stalking occurs, the victim should follow these steps:*

- *Go to a safe place to protect yourself from further assault or injury.*
- *Contact law enforcement, or if necessary an ambulance, immediately. Local, County and State Law Enforcement Agencies, to include emergency medical care can be summoned by **dialing 9-1-1** on any phone or at **810.985.8115**. You can also call Campus Patrol who will be able to assist you in calling law enforcement and assist responding emergency personnel in arriving to your location.*
- *Seek medical examination and treatment if needed.*
- ***For Sexual Assault Specifically** - abstain from washing, changing your clothes, douching or disturbing any evidence of the assault.*
- *Refer to law enforcement to learn your rights as a victim and procedures for Personal Protection Orders, or other similar orders issued by criminal or civil courts. The College can provide assistance in contacting the responsible jurisdiction.*

**Seek Counseling**

*Referrals for victims of sexual assault are available at the Advising Office in the SC4 Welcome Center Building in Room 251 at the Advising Check-In Help Desk. You may also call Advising at **810.989.5520** for other available community resources. Further resources can also be gained from the College’s portal website*

<https://portal.sc4.edu/studentresources/supportforsuccess/Pages/default.aspx>.

**On Campus Resources**

*A victim of sexual assault may report the assault to the College’s Campus Patrol at **810.989.5757**, to the Vice President of Human Resources & Title IX Coordinator at **810.989.5537** or to the Vice President of Student Services & Communications at **810.989.5561**.*

**Off Campus Resources**

- *McLaren Port Huron Hospital*                      *810.989.3300 Emergency Services*
- *Lake Huron Medical Center*                      *810.985.1580 Emergency Services*
- *Saint Clair County Prosecutor’s Office*                      *810.985.2400 Criminal Sexual Conduct Unit*
- *Port Huron Police Department*                      *810.984.8415*
- *St. Clair County Sheriff Department*                      *810.985.8115*
- *Community Mental Health*                      *888.225.4447*

#### **4.0 RESPONSIBILITIES OF THE INSTITUTION**

*SC4 shall take the following actions to implement the procedure and support compliance with Law requirements:*

##### **A. President's Designee**

*The President of the institution shall designate the person or persons to receive oral and written reports of suspected sexual violence from employees, students and others at the institution. The President's designee for SC4 is the Vice President of Human Resources & Title IX Coordinator.*

##### **B. Information Dissemination**

*Employees, students and other members of the campus community shall be informed through employee or student handbooks, institution websites, portal and other appropriate means of communication of:*

- 1. The requirements of the procedure and this guideline and relevant law requirements;*
- 2. Institution policies and procedures for compliance with the Law including but not limited to*
  - a. Provision of written notice of rights and options to victims;*
  - b. Notice of possible disciplinary actions;*
  - c. Protection of victim confidentiality as permitted by law;*
  - d. Written notice of procedures, appeals and final determinations.*

##### **C. Training**

*Employees and students shall receive annual training in applicable requirements.*

##### **D. Cooperation with Other Agencies**

*The institution shall cooperate fully and appropriately with any investigation of sexual misconduct by a law enforcement agency. If the individual suspected of an act of sexual violence is an employee, student or contractor of the institution, the institution shall coordinate its own investigation or other activities in response to a report with the appropriate local agency.*

##### **E. Disciplinary Action**

*SC4 shall ensure that its own policies and procedures addressing alleged employee and contractor misconduct include provisions and measures to respond swiftly and appropriately to reports of suspected sexual violence.*

##### **F. Reporting to the Board of Trustees**

*The President shall inform the Board of any serious incident arising at an institution under this guideline, consistent with the confidentiality requirements of Federal and State Law.*

## Appendix A

### CODE OF ETHICS OF THE EDUCATION PROFESSION<sup>5</sup>

*The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of the democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.*

*The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.*

*The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than the one specifically designated by the NEA or its affiliates.*

#### **PRINCIPLE I**

##### ***Commitment to the Student***

*The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.*

*In fulfillment of the obligation to the student, the educator--*

- 1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.*
- 2. Shall not unreasonably deny the student's access to varying points of view.*
- 3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.*
- 4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.*
- 5. Shall not intentionally expose the student to embarrassment or disparagement.*
- 6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--*
  - a. Exclude any student from participation in any program*
  - b. Deny benefits to any student*
  - c. Grant any advantage to any student*
- 7. Shall not use professional relationships with students for private advantage.*
- 8. Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.*

#### **PRINCIPLE II**

##### ***Commitment to the Profession***

*The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.*

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<sup>5</sup> Source: <http://www.nea.org/home/30442.htm>

*In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.*

*In fulfillment of the obligation to the profession, the educator--*

- 1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.*
- 2. Shall not misrepresent his/her professional qualifications.*
- 3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.*
- 4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.*
- 5. Shall not assist a non-educator in the unauthorized practice of teaching.*
- 6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.*
- 7. Shall not knowingly make false or malicious statements about a colleague.*
- 8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.*

## **Michigan Public Sex Offender Registry**

Individuals from the campus community may access the Public Sex Offender Registry database, as maintained by the Michigan State Police. Individuals within the database may be sought by name, city, zip code, or county from which they are registered. The Public Sex Offender Registry can be accessed on the internet by visiting:

- [http://www.michigan.gov/msp/0,4643,7-123-1878\\_24961---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1878_24961---,00.html)
- <http://mdocweb.state.mi.us/otis2/otis2.html>
- <http://www.stclaircounty.org/Offices/sheriff/>

## **Written Disclosure**

The College will simultaneously notify, in writing, both the accuser and the accused of the results of any institutional disciplinary proceeding that arises from an allegation of sexual misconduct, sexual harassment, or other crimes as required by law. The disclosure will include the outcome as to whether sexual misconduct or harassment occurred, any resulting sanctions and/or discipline imposed, as well as the College's procedures for appeal. If the alleged victim is deceased as a result of the crime or offense, the College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

For victims of dating violence, domestic violence, sex assault and stalking, the College can provide written notification to students and employees about existing counseling, health, mental health, victim advocacy legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the school and in the community.

# CLERY Crime Statistics

Annually, crime statistics are gathered for Clery reportable crimes as reported by multiple sources. These sources include Campus Patrol, and other various agencies in the law enforcement community. Once compiled, the Clery crime statistics are submitted to the College's Board of Trustees, the Department of Education, and ultimately published in this written report and to the College's website. Confidentiality is maintained in compliance with federal and state laws.

Law enforcement entities that were contacted to assemble these Clery crime statistics are listed below.

- Almont Police: Statistics provided for Almont High School and are included in the totals.
- Clay Township Police: Statistics provided for Algonac High School and are included in the totals.
- Croswell Police: Statistics provided for Cros-Lex School and are included in the totals.
- Port Huron Police: Statistics provided and are included in the totals.
- Sanilac County Sheriff Office: Statistics provided for the Sanilac Career Center and are included in the totals.
- Harbor Beach Police: Statistics provided for Harbor Beach School and are included in the totals.
- St. Clair County Sheriff Office: Statistics provided and are included in the totals.
- Yale Police: No report provided.

## Unfounded Reports

The College may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." The College may not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official.

**Data Tables listed on pages 20-21**

# Criminal Offenses

Offense	Year	On-Campus	Non-Campus	Public Property	Un-Founded
Murder and Non-Negligent Manslaughter	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Sex Offense Forcible 2014 and Before	2014	0	0	0	-
Rape 2015 and Beyond	2015	0	0	0	0
	2016	0	0	0	0
Sex Offense Non-Forcible 2014 and Before	2014	0	0	0	-
Fondling 2015 and Beyond	2015	0	0	0	0
	2016	0	0	0	0
Incest 2015 and Beyond	2015	0	0	0	0
	2016	0	0	0	0
Statutory Rape 2015 and Beyond	2015	0	0	0	0
	2016	0	0	0	0
Robbery	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Burglary	2014	0	0	0	-
	2015	0	1	0	0
	2016	2	0	0	0
Motor Vehicle Theft	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Arson	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0

The City of Yale Police Department is non-reporting for 2016 statistics.

Sexual assault numbers are contained in “Sex Offense Forcible” and “Sex Offense Non-forcible” for 2014.

There were no reported hate crimes for the years 2014, 2015, or 2016.

## VAWA Offenses

Offense	Year	On-Campus	Non-Campus	Public Property	Un-Founded
Domestic Violence	2014	0	0	1	-
	2015	0	0	0	0
	2016	0	0	0	0
Dating Violence	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Stalking	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0

\*Sexual Assault numbers are contained in “sex offenses–forcible” and “sex offenses non-forcible for 2014”

## Arrest Liquor/Drug/Weapon

Offense	Year	On-Campus	Non-Campus	Public Property	Un-Founded
Liquor Law Arrest	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Drug Law Arrest	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Weapons Law Arrest	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0

## Referred for Disciplinary Action

Offense	Year	On-Campus	Non-Campus	Public Property	Un-Founded
Liquor Law Referred For Disciplinary Action	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Drug Law Referred For Disciplinary Action	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0
Weapons Law Referred For Disciplinary Action	2014	0	0	0	-
	2015	0	0	0	0
	2016	0	0	0	0



# APPENDIX

## Sex Offense Definitions

As defined by the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR, The Handbook for Campus Security Reporting 2016 Edition

### **Fondling** (Definition for 2015 stats and beyond)

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

### **Incest** (Definition for 2015 stats and beyond)

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

### **Rape** (Definition for 2015 stats and beyond)

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

### **Statutory Rape** (Definition for 2015 stats and beyond)

Sexual intercourse with a person who is under the statutory age of consent.

Used for determining reportable Clery crime statistics. As defined by 2013 Clery Center for Security on Campus; US Dept. of Education Handbook for Safety and Security

## Sex Offenses Forcible

### **Forcible Fondling** (Definition for 2014 stats and before)

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.

### **Forcible Rape** (Definition for 2014 stats and before)

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

### **Forcible Sodomy** (Definition for 2014 stats and before)

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

### **Sexual Assault with an Object** (Definition for 2014 stats and before)

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. An object or instrument is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.

## **Sex Offenses Non-Forcible**

### **Non-Forcible Incest** (Definition for 2014 stats and before)

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

### **Non-Forcible Statutory Rape** (Definition for 2014 stats and before)

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

## **Crime Definitions**

As defined by the Summary Reporting System User Manual from the FBI's UCR Program

### **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.

### **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.

### **Drug Abuse Violations**

Violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic

substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

### **Hate Crimes**

As defined by the US Dept. of Education Handbook for Campus Safety and Security Reporting 2016

A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible forms of bias, under the Clery Act, only the following eight categories are reported: race, gender, gender identity, religion, disability, sexual orientation, ethnicity or national origin.

There were no reported hate crimes for the years 2013, 2014, 2015. Hate Crimes include incidents of bias for the offenses of: murder/non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny, simple assault, intimidation, destruction/damage/vandalism of property.

### **Liquor Laws**

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

### **Manslaughter by Negligence**

The killing of another person through gross negligence.

### **Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle.

### **Murder and Non-Negligent Manslaughter**

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

### **Robbery**

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

### **Weapons**

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

# **VAWA Definitions**

As defined by the Violence Against Women Act (VAWA) of 1994

## **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 cohabitating with the victim as a spouse or intimate partner of the jurisdiction in which the crime of violence occurred, by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

## **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 shall 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 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. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, to suffer substantial emotional distress. For the purposes of this definition, course of conduct means 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. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

# **Clery Definitions**

As defined by the Federal Register Vol. 79, No. 202, Part III, Dept. of Education, 34 CFR Part 668  
Violence Against Women Act; Final Rule.

## **Awareness Programs**

Awareness programs means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

## **Bystander Intervention**

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

## **On-going Prevention and Awareness Campaigns**

On-going prevention and awareness campaigns means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

## **Primary Prevention Programs**

Primary prevention programs means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

## **Proceeding**

Proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

## **Result**

Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.

## **Risk Reduction**

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

## **Unfounded Reports**

A criminal report or internal investigation report excluded from the annual security report, or removed from its previously reported statistics following a complete and thorough investigation of the evidence by a sworn or commissioned law enforcement official or an internal College official that determined the reported crime was not completed or attempted in any manner, failed to meet the elements of the offense, or were improperly classified as a crime.

# Clery Geography Definitions

As defined by the 2013 Clery Center for Security on Campus; US Dept. of Education Handbook for Safety and Security.

## **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, or those frequently used by the students and those that support institutional purposes such as a food vendor or retail vendor.

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

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

## **Public Property**

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.