

# Delta College 2023 Annual Security Report



**Delta College Main Campus**

**Downtown Midland Center**

**Bay City Planetarium and Learning Center**

**Downtown Saginaw Center**

**2022, 2021, 2020 Annual Statistical Disclosure**



*Office of the President*

Dear Community Members,

I am honored to serve you as Delta College's fifth president. As your president, I am committed to the principles of equity and student completion. Safety and security are the foundation our student's need to achieve equity and completion. I am committed to continuing and enhancing our college wide efforts to provide safety and security to our community members.

The College is committed to continuous improvement in all areas, particularly in those affecting the safety and wellbeing of our Community. Delta College's Equity Office, Title IX, Department of Public Safety, Counseling and Advising, Human Resources, Student and Civic Engagement, and Community partners from Saginaw, Bay, and Midland Counties continue to collaborate to provide relevant, tested, and effective programs to students and employees to prevent sexual assaults, domestic and dating violence, and stalking.

The safety and well-being of our students, employees, and guests are our foremost concern. Safety is best provided through an aware, alert, and educated campus community, combined with a dedicated and integrated law enforcement presence. Despite our best efforts, crimes may occur and disasters can happen. It is through the contribution of all current and prospective students, employees, and guests that these risks may be minimized and their effects may be mitigated.

Delta College continues to enhance our ability to communicate with our students, faculty, staff, and visitors in an emergency through outreach efforts to encourage new and existing students to sign up for Nixle. Nixle is an emergency text notification service. The service is free for users (text/SMS/data charges may apply). This service is administered by the Delta College Department of Public Safety and is used to advise the College Community of any emergency situations. The service is also used to advise of weather related campus closures. Instructions for signing up for Nixle are included in this publication and are available on the Public Safety website, <http://www.delta.edu/publicsafety>.

I am pleased to introduce the Delta College 2023 Annual Security Report, including the annual statistical disclosure of reported crimes for 2020, 2021, and 2022 calendar years. Not only does this report comply with the Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act, it is a part of our ongoing effort to inform you of the safety programs and services available to help maintain your safety and the security of others.

If you have any questions or suggestions concerning this publication, please contact Delta College Department of Public Safety at (989) 686-9113.

Sincerely,

Michael H. Gavin, Ph.D.  
President

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University Center, MI 48710  
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## **Background Information**

Delta College's main campus is located on 640 acres in Bay County at University Center, Michigan. This campus is almost midway between the tri-counties' major cities of Saginaw, Midland, and Bay City.

As the Delta College district includes three counties, it also has separate campuses; in Midland County at the Downtown Midland Center at 419 E Ellsworth Street, Midland City; in Saginaw County at the Downtown Saginaw Center at 319 E Genesee Street, Saginaw City; and in Bay County at the Bay City Planetarium & Learning Center, 100 W. Center Avenue, Bay City.

Maps of the campuses can be found at [www.delta.edu/aboutdelta/campus-locations.aspx](http://www.delta.edu/aboutdelta/campus-locations.aspx).

All campuses are non-residential facilities. Delta's Fall 2022 academic enrollment (both Full Time and Part Time students) was 7056; Winter 2023 academic enrollment was 7051.

Fall 2022 full-time employees numbered 425; part-time 310, for a combined total of 735 employees.

## **Law Enforcement Authority & Reporting**

The Delta College Department of Public Safety (DCDPS) employs staff with various levels of enforcement and arrest authority. Delta College Department of Public Safety employs ten (10) Michigan Commission On Law Enforcement Standards (MCOLES) certified police officers with full enforcement powers and authority to make arrests pursuant to the grant of authority under the Michigan Community College Act of 1966 (MCL 389.128) and as authorized under the code of criminal procedure (specifically, MCL 760.1 to 766.22) and the Michigan Vehicle Code (specifically, MCL 257.1 to 257.923) (1). Officers have police authority at the Main Campus, Downtown Saginaw Center, Bay City Planetarium & Learning Center, and the Downtown Midland Center, including the public right-of-way traversing or contiguous to those properties.

Non-sworn security personnel do not have enforcement or arrest authority. Non-sworn security personnel do have enforcement authority for violations of College policies and procedures.

The primary jurisdiction of the DCDPS sworn and non-sworn personnel includes all property owned, leased or operated by Delta College, and extends to the public right-of-way traversing or contiguous to that property. Delta College Department of Public Safety does not have an extended patrol jurisdiction beyond its primary jurisdiction.

The DCDPS has working relationships, but not written Memorandums of Understanding, with local police departments, sheriff departments, as well as the Michigan State Police. Alleged criminal offenses that occur within the jurisdiction of the DCDPS will normally be reported to and investigated by the DCDPS; however, in appropriate situations DCDPS may call upon other local police agencies to assist in joint investigative efforts. At separate campus properties, alleged criminal offenses may be reported to and investigated by the DCDPS or may be reported to and investigated by the local police agency with jurisdiction. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted in the appropriate court jurisdictions. Violations of College guidelines or policies occurring at the separate campus properties will typically be investigated by officers of the DCDPS. DCDPS is also part of the Bay County Central Dispatch and has direct communication with local law enforcement agencies. Due to the cooperative relationship between DCDPS and State and local police agencies, written Memorandums of Understanding have not been needed or obtained regarding the investigation of alleged criminal offenses.

Delta College does not have any officially recognized student organizations that have off-campus residential facilities (non-campus facilities). As such, Delta College does not have any agreements with local law enforcement agencies to monitor non-campus facilities.

## **Reporting Procedures**

To report a non-emergency, security, or public safety issue at any College location, call DCDPS at (989) 686-9113. Delta College encourages accurate and prompt reporting of all incidents to the Delta College Department of Public Safety or the Title IX Coordinator, so the incidents can be evaluated and assessed for the purpose of issuing a timely warning notice and for providing an accurate accounting of reported criminal incidents in the annual statistical disclosure. Delta College encourages accurate and prompt third party and anonymous reporting of all crimes to the DCDPS and/or the appropriate local police agencies, whether the victim of a crime elects to, or is unable to, make such a report.

### **Reporting Crimes**

Delta College encourages accurate and prompt reporting of all crimes, to the Delta College Department of Public Safety or another local law enforcement agency when the victim of a crime elects to or on the victim's behalf if they are unable to. The reporting of sexual misconduct may be made to the Title IX Coordinator.

#### **To report a crime:**

##### ***Main Campus***

Call (989) 686-9111 (Delta College Public Safety) - external phone system

Call 9111 – internal phone system

Call 911 (Bay County Central Dispatch) – from any phone

##### ***Planetarium & Learning Center – Bay County, Bay City***

Call (989) 686-9111 (Delta College Public Safety) - external phone system

Call 9111 – internal phone system

Call 911 (Bay County Central Dispatch)

##### ***Downtown Midland Center – Midland County, Midland City***

Call (989) 686-9111 (Delta College Public Safety) - external phone system

Call 9111 – internal phone system

Call 911 (Midland County Central Dispatch)

***Downtown Saginaw Center – Saginaw County, Saginaw City***

Call (989) 686-9111 (Delta College Public Safety) - external phone system

Call 9111 – internal phone system

Call 911 (Saginaw County Central Dispatch)

## **Reporting Emergencies**

Delta College encourages accurate and prompt reporting of all crimes, accidents, emergencies, and other public safety related incidents to the Delta College Department of Public Safety or other local law enforcement agency. Reporting options for any sexual misconduct includes; the DCDPS, an appropriate local law enforcement agency, or the Delta College Title IX Coordinator.

**To report a medical, fire, or other emergency:**

***Main Campus***

Call (989) 686-9111 (Delta College Public Safety) - external phone system

Call 9111 – internal phone system

Call 911 (Bay County Central Dispatch) – from any phone

***Planetarium & Learning Center – Bay County, Bay City***

Call (989) 686-9111 (Delta College Public Safety) - external phone system

Call 9111 – internal phone system

Call 911 (Bay County Central Dispatch)

***Midland Center – Midland County, Midland City***

Call (989) 686-9111 (Delta College Public Safety) - external phone system    Call

9111 – internal phone system

Call 911 (Midland County Central Dispatch)

***Downtown Saginaw Center – Saginaw County, Saginaw City***

Call (989) 686-9111 (Delta College Public Safety) - external phone system

Call 9111 – internal phone system

Call 911 (Saginaw County Central Dispatch)

Campus Security Authorities (CSAs), as defined by the Clery Act, have an obligation to report allegations of Clery Act defined crimes of which they are aware. These crime allegations should be reported to the Delta College Department of Public Safety. In the event of an allegation of sexual misconduct, the Title IX Coordinator will also be informed. The Clery Act definition of a campus security authority includes certain Delta College personnel in addition to all DCDPS employees. In addition to all DCDPS employees and the College Title IX Coordinator, a Campus Security Authority is defined as an official of Delta College who has significant responsibility for student and campus activities. This includes but is not limited to, coaches, student organization advisors, and those involved in student discipline or campus judicial proceedings. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals, and students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other College-affiliated individuals. Crimes may be reported confidentially to CSAs for inclusion in the annual security report. Individuals, including CSA's, should report crimes immediately to the Delta College department of Public Safety or the Title IX Coordinator for the purposes of having the incident assessed for a timely warning notice or emergency notification and for the purpose of annual statistical disclosure

## **Response to Reports**

In response to received reports, appropriate action will be taken. During normal hours of operation, a Delta College Department of Public Safety Dispatcher will answer calls for assistance on both the emergency line (9111) and non-emergency line (9113). Sworn or student officers may also answer these lines in the absence of a Dispatcher. DCDPS procedures require response as immediately as reasonably possible to emergency calls. DCDPS works closely with the full range of Federal, state, county, city, and local emergency resources to assure a complete and timely response to all emergency calls. Response to requests for service at the Planetarium & Learning Center, Downtown Midland Center, or Downtown Saginaw Center may be made by a local jurisdiction law enforcement officer, a civilian Campus Safety Officer, or a sworn Campus Police Officer, whichever is deemed most appropriate. Priority responses are given to crimes against persons and those involving personal injuries. In response to a non-emergency call, DCDPS will take the appropriate action, including dispatching an officer or asking the person to report to DCDPS to file an incident report. As appropriate, DCDPS incident reports are forwarded to the Bay County, Saginaw County, or Midland County Prosecutor's Offices. Incidents involving students may also be forwarded to the College Judicial Officer, and those involving faculty or staff may be referred to Human Resources. The investigating department will notify student and/or employee victims about appropriate counseling, medical health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, available both on campus and in the community. The College will provide information to victims regarding assistance with arranging protective measures, including safeguarding the victim in living, work, transportation, and academic situations, to the extent reasonably possible.



## Confidential Reporting

Delta College will protect the identity of victims and witnesses reporting crimes to the extent permissible by law.

Police case reports are considered to be public records in Michigan. However, the Michigan Freedom of Information Act exempts from public release;

Investigating records compiled for law enforcement purposes, but only to the extent that disclosure as a public record would do any of the following:

- interfere with law enforcement proceedings;
- deprive a person of the right to a fair trial or impartial administrative adjudication;
- constitute an unwarranted invasion of personal privacy;
- **disclose the identity of a confidential source or, if the record is compiled by a criminal law enforcement agency in the course of a criminal investigation, disclose confidential information furnished only by a confidential source;**
- disclose law enforcement investigative techniques or procedures;
- endanger the life or physical safety of law enforcement personnel.

It is the policy of the Delta College Department of Public Safety to refuse to release information that would disclose the identity of a confidential reporter.

## Anonymous Reporting

Victims and witnesses can report crimes on a voluntary, anonymous basis for inclusion in the annual crime statistics disclosure by contacting the "Silent Witness" program at <http://www.delta.edu/resources/forms/silent-witness.html> . Reports submitted using the Silent Witness option must include sufficient information regarding the date, time, location, and nature of the incident being reported in order for the incident to be properly included in the annual crime statistic disclosure.

## **Pastoral Counselors and Professional Counselors**

Delta College employs Michigan Licensed Professional Counselors, and acknowledges pastoral counselors are members of our greater community. Licensed professional counselors employed by Delta College, when acting as such, are not considered to be Campus Security Authorities, and are not required to report crimes for inclusion in the annual security report. Counselors determine on a case-by-case basis when and how to encourage individuals to report crimes voluntarily to law enforcement, or the Title IX Coordinator for investigation and when and how to confidentially report crimes solely for inclusion in the annual security report. Pastoral counselors and licensed professional counselors are encouraged, but not required, to report crimes to the DCDPS or through our confidential reporting methods, as appropriate.

## **Timely Warning, Emergency Response, and Evacuation Procedures**

### **Timely Warning**

Timely Warnings are used for crimes that have already occurred but still pose a serious or on-going threat to our College community. The timely warning is triggered when the DCDPS identifies a reported Clery reportable crime (those crimes included in the Crime Statistics reported in this document) that poses a potential ongoing or serious threat to students, faculty, staff, and/or guests. The College community will be notified in these instances. These incidents must have been reported to DCDPS or the information must have been relayed to DCDPS after having been taken by a Campus Security Authority or another local law enforcement agency. The Department of Public Safety collects information to be included in a Timely Warning Notice through; direct investigation by their officers, the investigation of other law enforcement agency personnel, collaboration with the Delta College Title IX Coordinator, information collected from Campus Security Authorities, and other sources as appropriate. Timely

warnings will be provided to students, employees, and the College community in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.

Reports will be evaluated on a case-by-case basis, based on the circumstances and timeliness of the report (typically 7 days or less), proximity to a College campus, and the nature of the Clery-reportable crime. Based on the evaluation of the report, a timely warning may be issued. Information may be withheld from a Timely Warning Notice; to protect the identity of a victim; or when the disclosure of the information would or may compromise law enforcement efforts. Those crimes that could initiate a timely notification include, but are not limited to:

- Murder
- Non-Negligent Manslaughter
- Sexual Offenses
- Robbery
- Aggravated Assault
- Arson
- Burglary
- Motor Vehicle Theft
- Hate Bias Crimes

### **Timely Warning Procedure**

Timely warnings are evaluated, drafted, and distributed by the Director of Public Safety, the Vice President of Student and Educational Services or their designees.

Timely warnings may be evaluated in conjunction with the Title IX Coordinator when complaints of an applicable incident are made solely to the Title IX Coordinator. Timely warnings will be disseminated in one or more of the following communication channels as appropriate:

1. Posting on one or more of the following:
  - a. The College emergency messaging system; Nixle.

- b. The Department of Public Safety website at <http://www.delta.edu/services-support/safety.html> may contain the detailed information of the alerts. The site may be updated with information and instructions about current warnings in addition to how to respond in a timely warning situation.
  - c. Delta College main website alert box at <https://www.delta.edu/> may notify the community of an alert and link them directly to the Public Safety website for detailed information.
  - d. An email message sent with detailed information to everyone with a current Delta College email account.
2. Optional alert methods, as needed:
- a. Social media such as Twitter and Facebook via Nixle
  - b. Bulletin board postings

### **Emergency Notification**

The College community will be notified of emergencies that represent an immediate or imminent threat to the health or safety of students, faculty, staff and/or guests. Notification to the campus community will occur upon confirmation of a significant emergency or dangerous situation involving an immediate or impending threat (Westat, Ward, & Mann, 2011, p. 98). Emergencies that might initiate an Emergency Notification could include, but are not limited to:

- Extreme weather, or tornado
- Chemical or radiation release/spill
- Fire
- Outbreak of serious illness
- Armed intruder
- Bomb or terrorist threat
- Civil unrest or rioting

Delta College will, without unnecessary delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Delta College will immediately notify the campus community of an emergency situation that poses an immediate or impending threat to health or safety.

DCDPS will continuously assess the situation in consultation with the Vice President of Student and Educational Services. Additional alerts may be used to notify the campus community, if the situation warrants such action, including moving the Emergency Notification to a Timely Warning as appropriate.

Emergency situations may affect the regular operations of Delta College. Recognizing its responsibility to students and the community, the College will close and/or take other protective measures when it appears that the interests of all concerned will be best served by doing so.

**Emergency Notification Process:**

1. The Director of Public Safety or in the absence of the Director, another police officer on duty will inform the Vice President of Student and Educational Services (VPSES) of any emergency that may pose an immediate or impending threat to the personal health or safety of students, faculty, staff and/or visitors by confirming the event (confirmation, while the responsibility of the Public Safety Department, may include consultation with other resources, for example the Facilities Maintenance Department, National Weather Service, Risk Management, and others) and by determining that the event is:
  - a. Happening right now;
  - b. About to happen; or
  - c. Likely to happen.

2. The Director of Public Safety or in the absence of the Director, his/her designee will draft an Emergency Notification and provide it to the VPSES. The VPSES will consult with the College President, the Facilities Director, the Vice President of Instruction and Learning Services, and others as appropriate, based on criteria applicable to the emergency situation and will determine whether the situation requires an emergency warning and which segment or segments of the Campus Community should receive the notice. The VPSES is responsible for authorizing the Emergency Notification and communicating the authorization to the Director of Public Safety.
3. The uniform message developed by the Director of Public Safety and the Vice President of Student and Educational Services (or their designees) will promptly be distributed to the College community informing them (as applicable and available) of the:
  - a. Nature of the crime or immediate threat
  - b. Location, date and time of crime or immediate threat
  - c. Description of any suspect(s)
  - d. Action or actions recommended for College members
  - e. Contact telephone number for the Delta College Department of Public Safety
4. The responsibility for issuing the message will primarily rest with the Department of Public Safety. Other entities having potential responsibility for issuing the message include VPSES or the Director of Marketing and Public Information or their designees, depending on the nature of the incident. One or more of the following communication channels will be employed as appropriate by the DCDPS , Marketing and Public Information, or the VPSES or their designee:
  - a. Posting on one or more of the following:
    - i. The Department of Public Safety Website at <http://www.delta.edu/services-support/safety.html> will contain the detailed information of the alert. The site will be updated with

information and instructions about current warnings in addition to how to respond in a timely warning situation.

- ii. Delta College Main Website at <https://www.delta.edu/> will notify the community of an alert and link them directly to the Public Safety Website for detailed information.
  - iii. An email message sent with detailed information to everyone with a Delta College email account.
  - iv. Emergency Messaging via text and email (Nixle)
  - v. Loudspeaker Notification
- b. Optional alert methods, as needed:
- i. Social Media such as Twitter and Facebook via Nixle.
  - ii. Bulletin board postings
  - iii. TV & Radio notifications

- 5. Additional messages can be sent at the direction of DCDPS or the VPSES or designees.
- 6. DCDPS and the VPSES or designees will determine when the threat is no longer active.
- 7. The above process will again be followed to provide any updated information as it becomes available or to notify the community that the situation has been resolved and the campus will return to normal operations.



## Evacuation Procedures

### Emergency Preparedness Plan

DCDPS has adopted a proactive approach to campus safety and security. Emergency response plans have been developed to provide protection of lives, property, and operations through the effective use of College, community, and state resources. As a result of this plan the Emergency Response Manual (ERM) will be used

as a guide for responding to potential or developing emergencies in a timely and appropriate manner.

### **Building Evacuation Plan**

1. All buildings will be evacuated when an alarm sounds and/or upon notification by the DCDPS or by the off campus learning center coordinators.
2. When the building evacuation alarm or fire alarm is activated during an emergency, walk to the nearest marked exit and ask others to do the same.
3. **ASSIST PERSONS WITH DISABILITIES IN EXITING THE BUILDING!** Remember that the elevators are reserved for persons with disabilities, but **DO NOT USE ELEVATORS IN CASE OF FIRE.**
4. Once outside proceed to a clear area that is at least 500 feet away from the building. Keep streets, fire lanes, hydrants and walkways clear for emergency vehicles and personnel.
5. **DO NOT** return to an evacuated building unless told to do so by a College official.

### **Campus Evacuation**

1. Evacuation of all or part of the campus grounds will be announced by the Department of Public Safety as directed.
2. All persons (students and staff) are to immediately vacate the site in question and relocate to another part of the campus grounds or off campus as directed.

Always follow the directions of emergency personnel. For example, this could include shelter in place directions, evacuations into specific locations of the building, or evacuation of the specific area or entire building. Communication may also come from the loudspeaker system, or other forms of electronic and cellular communication if appropriate.



## **Emergency Text Notification Service**

The Emergency Text Notification Service (SMS) is a free service provided by Nixle and administered by Delta College's Department of Public Safety (DCDPS). The intent of this service is to allow students, College employees, and community members to register to receive text (SMS) and/or email notification of emergency situations and other critical information, such as campus closings.

Nixle and Delta College do not charge a fee to receive emergency notifications, however standard text and data rates may apply to individual users. Users are encouraged to review their current mobile plan for text/data charges. Delta College is not responsible for any personal charges mobile carriers levy on text/SMS/data messages. Please consult your mobile service provider before enrolling in this voluntary service to fully understand any applicable finance charges.

### **Subscribe**

Any student, College employee, or community member can sign-up for this service. There are two methods for subscribing to Delta College Emergency Notifications.

#### **Option 1 - Send a text message**

- Using your mobile phone, text **DELTAEMG** to **888777**
- You will receive two text messages back, the first will read:
  - DCDPS: You are linked to DELTAEMG Info: [nixle.com](http://nixle.com) Reply HELP for help, Reply STOP to cancel. Text&Data rates may apply, Frequency depends on settings.
- The second message will read:
  - DELTAEMG: Thanks for signing up to receive emergency notifications and adverse weather updates from Delta College.

#### **Option 2 - Sign up form**

- Using the form at the bottom of the website [Nixle Sign Up](#) enter your mobile number, email address, and zip code. Read and review the Terms and Conditions and Privacy Policy and check the "I Accept" box, then click the "Sign Up!" button.

- *To receive email notifications only, do not enter your mobile number in the form. Only enter the email address that you wish to have email messages sent to. You will not receive the text confirmations noted below if you do not enter a mobile number.*
- After submitting the form you will receive a text message, you must reply to that message with the word **YES** to complete the signup process, that message will read:
  - DCDPS! Info at nixle.com Reply HELP for help, Reply STOP to cancel. Text & Data rates may apply, Frequency depends on settings. Reply YES to receive text messages.
- After replying with **YES**, you will receive a message that reads:
  - Nixle Alerts! You are linked to DELTAEMG info: nixle.com Reply HELP for help, Reply STOP to cancel. Text & Data rates may apply, Frequency depends on settings
- This procedure is not applicable if you elect to receive only email notifications.
  - If you elect to receive only email notifications, you will receive an email with a message that reads:

*Welcome to Nixle (your name here). This Community Information Service helps keep you and your family safe, informed, and connected to your community 24/7.*

*With emergency alerts, important advisories, community updates, and traffic information, you will receive up-to-date information impacting the areas near you by cell phone, e-mail and on the web. To learn more about Nixle, visit <http://www.nixle.com/about.html>.*

*Spread the word with friends, family and neighbors! Help make your community a stronger, safer, and better place to live.*

*Additional questions can be answered by reading our [Frequently Asked Questions](#). You also can [contact us](#) by e-mail and your question will be answered within 48 hours.*

*To learn more about Nixle, please [click here](#).*

*Welcome to Nixle!*

***- The Nixle Team***

All students are provided with instruction on signing up for the Nixle service during the mandatory orientation for incoming freshmen.

Delta College will immediately notify the campus community upon the 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 College may solicit or use information from others outside of the institution for purposes of confirming a significant emergency or dangerous situation. This may include, but is not limited to, local or state law enforcement agencies, local fire departments, local media, county health departments or hospitals, State Office of Emergency Services, or the National Weather Service. Based on the information gathered from the appropriate contributors, DCDPS and the Vice President of Student and Educational Services (or Vice President of Instruction and Learning Services in his/her absence), or their designee will determine the state of emergency or dangerous situation. They will then determine the appropriate course of action; for example, the issuing of an evacuation notice, alarm, or emergency notification.

The College currently does not have systems that will allow for the segmentation of notifications other than by email list by job classification (i.e.: students, faculty, staff) or by a phone page notification. There is not the ability to segment communications by campus, community, building wing, etc., except that a phone page may be directed to specific wings or areas within the College.

The process for notification does not include a segmentation of notifications based on the situation. Emergency notifications will be issued to the entire campus affected by the emergency situation.

The current options for notification are loudspeaker, SMS messages, College website posting, phone page, or entire College community email. DCDPS and the VPSES

(or Vice President of Instruction and Learning Services in his/her absence), or their designee will determine the appropriate course of action; for example, the issuing of an evacuation notice, alarm, or emergency notification and the notification method (loudspeaker, SMS message, or entire College community email). Messages will convey the nature of the threat and safety action (e.g., evacuate a wing, shelter in place, go to tornado shelter location, stay off campus, etc.).

Delta College does not have student organizations with non-campus housing facilities, or non-campus locations of student organizations officially recognized by the institution. As such, monitoring and recording, through the local police agencies, criminal activities by students at non-campus locations of student organization or student organization with non-campus housing facilities does not occur.

### **Notification of the Larger Community**

Members of the larger community can be notified in multiple ways. First, members of the larger community can sign-up for notification from our Emergency Text Notification System via the defined procedure. Second, they can monitor the College's public safety website, under "Alerts-Active" for current alert information. Finally, they can also monitor the local news and various media stations.

### **Tests of Emergency Response and Evacuation**

Tests of the emergency response and evacuation procedures are conducted on an annual basis. Tests may be announced or unannounced. A test is defined as regularly scheduled drills or exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. Emergency response and evacuation procedures are published each year in conjunction with at least one test per calendar year.

### **2022 Emergency Test**

Delta College completed a test of the emergency response and evacuation plans. The test included two components, a facility tour and collaborative discussion with area first responders and a variety of evacuation drills. The tour/discussion was held on December 13, 2022. This exercise took place primarily in subterranean tunnels under the main educational building located on the college's main campus as well as in the Chemical Process Laboratory. This exercise included the following participants; Delta College Department of Public Safety sworn officers, Delta College Department of Public Safety Dispatch, Delta College Facilities Department, Bay City Department of Public Safety Fire Operations Division, Monitor Township Fire Department, and Frankenlust Township Fire.

The purpose of this exercise was to:

- Review emergency preparedness procedures
- Test plans to prepare for and respond to a fire or chemical based emergency in the tunnels under the college or in the chemical process laboratory.
- Test Delta College Public Safety's internal and external communication capabilities
- Provide local first responder partners with familiarization and geographical knowledge and training within Delta College facilities
- Identify areas for improvement and prevention as well as develop a corrective action plan to address deficiencies.

The exercise was comprised of a tour of the underground nonpublic portions of the college campus. This was primarily focused on letting the agencies that would be responding become familiar with this portion of the college. None of the attending outside agencies had ever been through this portion of the college. They were able to examine the potential fire load and other hazards as well as identify emergency ingress and egress points.

The test was generally considered successful by participants and evaluators. Areas of improvement were identified in communication, particularly for community first responders operating 800 MHz radio systems which were largely inoperable in the college in general and especially in the tunnels. Lack of location identifiers on the portions of the tunnel leading to each wing and well as general compass direction identifiers were recommended. In addition, it was recommended that the area not be used as a storage area which would assist in decreasing the overall fire load.

It was also recommended that all members of the department of Public Safety receive training on ingress and egress points to the tunnel system within the college. The following Severe Weather and Fire Evacuation Drills were conducted on Main Campus during 2022:

**Severe Weather Drill**

Tuesday	4/12/2022	11:00 am
Wednesday	5/25/2002	4:00 pm
Tuesday	10/04/2022	10:45 am
Monday	10/10/2022	4:45 pm

**Fire Evacuation Drill**

Wednesday	4/13/2022	10:00 am
Thursday	4/14/2022	5:00 pm
Tuesday	5/17/2022	10:00 am
Thursday	9/22/2022	10:45 am
Wednesday	9/28/2022	4:45 pm

The following Severe Weather and Fire Evacuation Drills were conducted at the Learning Center Campuses during 2022:

## Midland Center

### Severe Weather Drill

Tuesday	4/12/2022	11:00 am
Wednesday	5/25/2002	4:00 pm
Monday	10/03/2022	1:00 pm

### Fire Evacuation Drill

Tuesday	5/17/2022	10:00 am
Thursday	9/22/2022	10:45 am
Friday	10/07/2022	Afternoon

## Downtown Saginaw Center

### Severe Weather Drill

Tuesday	4/12/2022	11:00 am
Wednesday	6/1/2022	10:00am
Tuesday	10/4/2022	10:00am
Wednesday	10/5/2023	4:45pm

### Fire Evacuation Drill

Wednesday	4/13/2022	10:45am
Thursday	4/14/2022	5:00pm
Wednesday	5/18/2022	11:00am
Thursday	10/13/2022	10:45am
Tuesday	10/18/2022	5:00pm

## **Security of and Access to Campus Facilities**

### **Main Campus:**

The security of the facilities includes both foot patrols and car patrols by both sworn and non-sworn officers of DCDPS. The facility may also be patrolled by the Bay County Sheriff Department and Michigan State Police on routine patrols that occur within the neighborhood on a daily basis.

Access to the building is coordinated between the Delta College Department of Public Safety (DCDPS) and the Facilities Management Department (FMD). Parking lots on the main campus are actively patrolled by sworn officers and DCDPS student officers. DCDPS also has a variety of alarms including fire, intrusion, hold-up, and trouble, to assist the officers in monitoring the campus.

Delta College has a Video Security System. This system records video in both the interior and exterior of the Campus. The video system is not normally monitored in real time. It is intended to provide the ability to review for evidence of incidents after the fact. The system is designed to record and retain records for at least 30 days. Select incidents may be retained for longer periods of time as necessary or as required by law.

Delta College is normally an open campus facility at each campus. Most main campus buildings and facilities are accessible to members of the campus community, students, faculty/staff, and guests/visitors during normal hours of business Monday through Friday and are open for limited designated hours on Saturdays and Sundays. This schedule excludes most holidays. The exterior doors to main campus buildings are generally open and allow access Monday through Friday between 7:00 a.m. and 10:00 p.m. Spring/Summer Sustainability Schedule Core Office Hours begin the second week of spring semester through the end of July with most offices open: Monday through Thursday 7:30 a.m. to 5:30 p.m., closed Friday through Sunday except for limited weekend hours at the Fitness & Recreation Center.



On the main campus, exterior doors are locked and unlocked automatically by a Door Access Control (DAC) system. The DAC is designed to automate the process of locking and unlocking doors. The number of entry doors were reduced to only those doors having electronic control (DAC doors). The entry doors have been prominently labeled as entry doors. All remaining doors intended for normal pedestrian traffic (excluding overhead service doors, emergency exit only doors, etc.) will be designated as exit only doors. These doors will not allow ingress to the Campus, but will allow egress. Exit only doors will be prominently labeled as such. The door access control system is designed to allow the College to immediately lock and secure all doors in the event of an emergency requiring securing the exterior entry doors to campus. The system is designed to allow all doors (both entry and exit only doors) to be monitored remotely for open/close status.

Door and security hardware operating deficiencies are also reported by Public Safety and Facility Management personnel on a regular basis. Employees and students who notice deficiencies in exterior door locking mechanisms should report them to the DCDPS or FMD.

### **Downtown Saginaw Center:**

The security of the facility is monitored by Delta College Public Safety officers, Learning Center Coordinators and Support Staff, Monday through Thursday from 8:00 am to 10:00 pm, on Friday from 8:00 am to 4:00 pm. The Center is patrolled by sworn Public Safety Police Officers on foot and/ or vehicle patrol and non-sworn Campus Safety Officers on foot patrol. The facility may also be patrolled by the Saginaw Police Department, Saginaw County Sheriff Department, and Michigan State Police on routine patrols that occur within the neighborhood on a daily basis. Access to the building is coordinated by the Learning Center Coordinator. The facility is accessible to members of the College community, students, faculty/staff, and guests/visitors during normal hours of business Monday through Friday and some Saturdays for limited designated

hours. This schedule excludes most holidays and times when classes are not in session and the center is closed.

Delta College has installed a Video Security System at the Downtown Saginaw Center. This system records video in both the interior and exterior of the Campus. The video system is not normally monitored in real time. It is intended to provide the ability to review for evidence of incidents after the fact. The system may be viewed at the Main Campus, at the Downtown Saginaw Center, and remotely. The system is designed to record and retain records for at least 30 days. Select incidents may be retained for longer periods of time as necessary or as required by law.

Access to the Downtown Saginaw Center is controlled by a Door Access Control (DAC) system. The DAC is designed to automate the process of locking and unlocking doors. Public access doors will be locked and unlocked electronically. The faculty/ staff entry door will only be accessible via a swipe card. The door access control system is designed to allow the College to immediately lock and secure all doors in the event of an emergency requiring securing the exterior entry doors to campus. The doors may be secured by personnel at the Downtown Saginaw Center and also by personnel at Main Campus, or remotely by authorized personnel. The system is designed to allow all doors to be monitored remotely for open/close status.

### **Downtown Midland Center:**

The Delta College Downtown Midland Center opened to the public on June 7, 2021. The Center was open for student services effective that date.

The security of the facility is monitored by Delta College Public Safety officers, Learning Center Coordinators and Support Staff, Monday through Thursday from 8:00 am to 9:00 pm and Friday from 8:00 am to 4:00 pm. The Center is patrolled by sworn Public Safety Police Officers on foot and/ or vehicle patrol and non-sworn Campus Safety Officers on foot patrol. The facility may also be patrolled by the Midland Police Department, Midland County Sheriff Department, and Michigan State Police on routine

patrols that occur within the neighborhood on a daily basis. Access to the building is coordinated by the Learning Center Coordinator. The facility is accessible to members of the College community, students, faculty/staff, and guests/visitors during normal hours of business Monday through Thursday. This schedule excludes most holidays and times when classes are not in session and the center is closed.

Delta College has installed a Video Security System at the Downtown Midland Center. This system records video in both the interior and exterior of the Campus. The video system is not normally monitored in real time. It is intended to provide the ability to review for evidence of incidents after the fact. The system may be viewed at the Main Campus, at the Downtown Midland Center, and remotely. The system is designed to record and retain records for at least 30 days. Select incidents may be retained for longer periods of time as necessary or as required by law.

Access to the Downtown Midland Center is controlled by a Door Access Control (DAC) system. The DAC is designed to automate the process of locking and unlocking doors. Public access doors will be locked and unlocked electronically. Access for faculty/staff is available via a swipe card. The door access control system is designed to allow the College to immediately lock and secure all doors in the event of an emergency requiring securing the exterior entry doors to campus. The doors may be secured by personnel at the Downtown Midland Center and also by personnel at Main Campus, or remotely by authorized personnel. The system is designed to allow all doors to be monitored remotely for open/close status.

### **Bay City Planetarium & Learning Center:**

The security of the facility is monitored by the Coordinator and Support Staff Monday through Thursday from 7:30 am to 6:00 pm and on Friday from 7:30 am to 4:00pm. Evening security may be provided by a non-sworn Campus Safety Officer on foot patrol generally between Monday and Thursday from 6:00 pm to 10:00 pm when classes are scheduled to be in session. The facility may also be patrolled by the Bay City

Police Department, Bay County Sheriff Department, and Michigan State Police on routine patrols that occur within the neighborhood on a daily basis. Access to the building is coordinated by the Learning Center Coordinator and the Planetarium Manager. The facility is accessible to members of the College community, students, faculty/staff, and guests/visitors during normal hours of business Monday through Friday. This schedule excludes most holidays and times when classes are not in session and the center is closed. The Planetarium offers weekend shows at various times throughout the year (the show schedule is posted online at the Planetarium web site) but access is limited to the theatre, lobby area, restrooms, and gift shop.

Delta College has installed a Video Security System at the Bay City Planetarium & Learning Center. This system records video in both the interior and exterior of the Campus. The video system is not normally monitored in real time. It is intended to provide the ability to review for evidence of incidents after the fact. The system may be viewed at the Main Campus and remotely. The system is designed to record and retain records for at least 30 days. Select incidents may be retained for longer periods of time as necessary or as required by law.

Delta College has installed a Door Access Control (DAC) system at the Bay City Planetarium & Learning Center. The DAC functionality for the Bay City Planetarium & Learning Center is still in development at the time of this publication.

### **Maintenance of Campus Facilities**

Delta College maintains a very strong commitment to campus safety and security, directing our efforts to ensure that the College facilities, buildings, and grounds are maintained in such a manner as to promote safety and reduce criminal opportunities. Shrubbery, trees, and other vegetation at all sites are maintained on a regular basis. Exterior lighting is a very important part of this commitment. The College attempts to maintain adequate exterior lighting in the parking lots as well as on the pedestrian walkways. Members of the College community on all College properties are encouraged

to report any exterior lighting deficiencies to the DCDPS or the FMD. Monitoring of exterior lighting is conducted by Facilities Management employees on a regular basis.

## **Crime Prevention & Security Awareness Education Programs**

Delta College provides both crime prevention and security awareness educational programs and initiatives. Security awareness programs/initiatives are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others.

Delta College's crime prevention programs/initiatives are based upon the concepts of eliminating or minimizing criminal opportunities, wherever and whenever possible. Various activities are done throughout the year on an annual basis. During the 2022 calendar year, security awareness and crime prevention educational programs were accomplished in the following manner:

### **Security Awareness:**

1. Annual Security Report – A listing of criminal activities and statistics on campus, for the previous three years is provided on the DCDPS website.
2. Patrols – Officers of the DCDPS and non-sworn safety officers perform routine patrols of the Main Campus, Downtown Midland Center and Downtown Saginaw Center both on foot and in a car. A non-sworn safety officer is assigned to the Bay City Planetarium and Learning Center during evening class times and for special events. A sworn officer may be assigned to the Bay City Planetarium and Learning Center for select events. Officers of local police departments also make periodic checks at these centers. Officers of DCDPS respond to requests for assistance at other campus properties as appropriate when there is not a sworn officer available at the Center.

3. Motorist Assistance – The DCDPS provides motorist assistance for students, faculty, staff, and guests. These include charging dead batteries, retrieving keys locked inside vehicles, and calling for wrecker services when needed.
4. Behavioral Intervention Review Board – The Behavioral Intervention Review Board (BIRB) is designed to provide preventative measures on campus to reduce the risk of student incidents. Anyone can bring forth a concern that will be reviewed by the team. Members intake and assess information, track details about behavioral concerns noted on, or with the potential to affect, campus, and take action when necessary. The primary goal of the Behavioral Intervention Review Board is the safety and security of the campus community, and to provide a consistent College-wide approach to address at-risk behaviors.

### **Crime Prevention:**

1. Student Safety Notification – Safety tips are communicated through email sent to the entire student body and in the Student News portion of the electronic Student Portal.
2. Escort Service – DCDPS officers provide an escort service for the students and employees of the College on request. Students, faculty, and staff are encouraged, for their own safety, to walk in groups and not to accept escorts from strangers.
3. Printed Crime Prevention Materials – Crime prevention brochures are distributed and displayed, along with posters related to crime awareness/prevention measures that the College community is encouraged to use.
4. Crime Prevention Publicity – DCDPS publishes crime prevention information on its website at <http://www.delta.edu/services-support/safety.html> and the DCDPS Facebook page.
5. Alcohol Awareness – The Office of Student and Civic Engagement (SACE) hosts a “Spring Break Bash” event. This event is designed to teach students to make healthy decisions while on spring break. SACE also hosts a Mocktail event in

March, providing alcohol awareness materials to students and SACE also provides alcohol awareness materials at Campus Life Events during the month of April.

6. Sexual Offense Awareness/Prevention Education Programs – Crime prevention and awareness bulletins are available in the DCDPS lobby. Members of the DCDPS are available to present on a variety of topics during orientation, in classes, or any other time as needed. They can inform prospective students and their parents of available police services and community resource programs. Safety talks are also provided upon request, for any College office, organization, or classroom.
7. Delta College Equity Office and Student and Civic Engagement and Public Safety presented a number of programs designed to raise staff, faculty and student awareness about safety issues; primarily sexual assault, stalking, sexual harassment, domestic violence, and consent. These programs included:

**Sexual Assault, Stalking, Domestic Violence, and Dating Violence, Primary Prevention and Awareness Activities – New Students**

- At Student Orientation, Title IX information is presented in virtual format

**Sexual Assault, Stalking, Domestic Violence, and Dating Violence, Primary Prevention and Awareness Activities – New Employees**

- New Employee Orientation (NEO) Whistleblower and Public Safety Reporting Training Session
- New Employee Orientation (NEO) Title IX and Diversity & Inclusion Training Session

**Sexual Assault, Stalking, Domestic Violence, and Dating Violence, Ongoing Prevention and Awareness Activities – Students and Employees**

- Human Trafficking & Stalking Awareness Month
  - Student Blast
- Healthy Relationship Student Blast
- Bystander Intervention Student Blast
- Sexual Assault Awareness Month
  - Student Blast
  - Trivia Wheel

- Pluck a Duck Scavenger Hunt
- Every 68 Seconds Display
- Employee Town Hall
- Denim Day
- Title IX Outhouse Outlook and Student Blast
- Student-Athlete Training: Title IX
- Domestic Violence Awareness Month
  - Tombstone Project: Main Campus and Virtual
  - Empty Place at the Table Display
  - Student Blast
  - Clothesline Project
  - Trivia Wheel
  - “Then Everything Changed” showing and Panel Discussion
- Proactive Bystander Outhouse Outlook and Student Blast
- Human Trafficking Outhouse Outlook and Student Blast

**Sexual Assault, Stalking, Domestic Violence, and Dating Violence, Ongoing Prevention and Awareness Activities –Employees**

- Mandated Reporter Training
- Decision Maker Training
- Advisor Training
- Appeals Training

**Alcohol and Drug Policies**

Delta College is committed to providing a campus environment free of the abuse and illegal use of alcohol and illegal drugs. Therefore, Delta College prohibits the unlawful possession, manufacture, use, sale, or distribution of illegal drugs (as those terms are defined by State and federal laws). The DCDPS enforces all federal and State drug laws. The College also prohibits the illegal possession, use, sale, distribution, and consumption of alcoholic beverages on campus property. Further, the DCDPS enforces all State underage drinking laws.

**Drug or Alcohol Abuse Education Programs**

The entire DAAPP can be accessed at: [DAAPP](#)



## **Crime Statistics**

Delta College believes an informed public is a safety-conscious public. The following statistics, provided in compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, are for your information. These statistics include incidents that occurred on campus property and public property at the Main Campus, Bay City Planetarium & Learning Center, Downtown Saginaw Center, and Downtown Midland Center.

Non-Campus property incidents are reported for Main Campus. The Bay City Planetarium & Learning Center, Downtown Saginaw Center, and Midland Center do not have non-campus properties.

The Delta College Midland Center moved from 1025 E Wheeler Street, Midland, MI to 419 E Ellsworth Street Midland, MI, effective July 26, 2021. The new center was renamed the Downtown Midland Center. All crime statistics for the Midland Center and the Downtown Midland Center have been combined and reported under the Downtown Midland Center.

Crime statistics for the Downtown Midland Center Statistics reported for 2020 include incidents that occurred between January 1, 2020 and December 31, 2020 that occurred at the Midland Center, 1025 E Wheeler Street Midland, MI.

Crime statistics for the Downtown Midland Center reported for 2021 include incidents that occurred between January 1, 2021 and April 30, 2021 at the Midland Center, 1025 E Wheeler Street Midland, MI and incidents that occurred between July 26, 2021 and December 31, 2021 at the Downtown Midland Center, 419 E Ellsworth Street Midland, MI. These are the dates that the respective centers were open for student services during 2021.

Statistics for the Midland Center reported for 2022 include incidents that occurred between January 1, 2022 and December 31, 2022 that occurred at the Downtown Midland Center located at 419 E Ellsworth Street Midland, MI.

All crime statistics were calculated using standard hierarchy rules.

## Delta College Main Campus

Offense	Year	On Campus	Non-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Fondling	2022	0	0	0	0
	2021	<b>33</b>	0	0	<b>33</b>
	2020	0	0	0	0
Incest	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Robbery	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

## Delta College Main Campus

Offense	Year	On Campus	Non-Campus	Public Property	Total
Burglary	2022	1	0	0	1
	2021	0	0	0	0
	2020	1	0	0	1
Motor Vehicle Theft	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arson	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Domestic Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Stalking	2022	2	0	0	2
	2021	8	0	0	8
	2020	2	0	0	2

Delta College Title IX received two complaints of Stalking. Both involved individuals engaging in a pattern of conduct that caused the complainant fear and/or emotional distress.

## Delta College Main Campus

Offense	Year	On Campus	Non-Campus	Public Property	Total
Liquor Law Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Drug Law Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Weapons Law Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

Delta College Main Campus does not have any residential facilities; therefore, no crime statistics are reported for residential facilities.

## **Delta College Main Campus**

### **HATE CRIME REPORTING:**

Delta College reported one hate crime in 2021. A Destruction of Property, characterized by anti-black bias was reported to Public Safety. An unknown person intentionally defaced an image of an African-American student. This image was part of a stairwell graphic.

There were no hate crimes reported for 2020 or 2022.

### **UNFOUNDED CRIMES:**

Delta College Public Safety did not classify any reported Clery crimes as unfounded in 2020, 2021 or 2022.

The statistics are included for the main campus, non-campus property, and public property within the required Clery reporting geography. The College has made a written request for crime statistics to the police agencies having jurisdiction involving our reporting geography and for all non-campus properties. Local law enforcement agencies contacted for crime statistics for Delta College Main Campus are the Michigan State Police and the Bay County Sheriff Department. In addition, all College CSAs received a written request for reports of crime statistics which includes the Judicial Officer, Dean of Student Success, and coaches, among others. Reportable crime statistics were provided to Public Safety by the Title IX Coordinator and have been included in this report. Delta College Public Safety is responsible for requesting and compiling the information included in the annual disclosure of crime statistics.

## **Crime Statistics**

Delta College believes an informed public is a safety-conscious public. The following statistics, provided in compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, are for your information. These statistics include incidents that occurred on campus property and public property at the Main Campus, Bay City Planetarium & Learning Center, Downtown Saginaw Center, and Downtown Midland Center.

Non-Campus property incidents are reported for Main Campus. The Bay City Planetarium & Learning Center, Downtown Saginaw Center, and Midland Center do not have non-campus properties.

The Delta College Midland Center moved from 1025 E Wheeler Street, Midland, MI to 419 E Ellsworth Street Midland, MI, effective July 26, 2021. The new center was renamed the Downtown Midland Center. All crime statistics for the Midland Center and the Downtown Midland Center have been combined and reported under the Downtown Midland Center.

Crime statistics for the Downtown Midland Center Statistics reported for 2020 include incidents that occurred between January 1, 2020 and December 31, 2020 that occurred at the Midland Center, 1025 E Wheeler Street Midland, MI.

Crime statistics for the Downtown Midland Center reported for 2021 include incidents that occurred between January 1, 2021 and April 30, 2021 at the Midland Center, 1025 E Wheeler Street Midland, MI and incidents that occurred between July 26, 2021 and December 31, 2021 at the Downtown Midland Center, 419 E Ellsworth Street Midland, MI. These are the dates that the respective centers were open for student services during 2021.

Statistics for the Midland Center reported for 2022 include incidents that occurred between January 1, 2022 and December 31, 2022 that occurred at the Downtown Midland Center located at 419 E Ellsworth Street Midland, MI.

All crime statistics were calculated using standard hierarchy rules.

**Bay City Planetarium and Learning Center**

<b>Offense</b>	<b>Year</b>	<b>On Campus</b>	<b>Public Property</b>	<b>Total</b>
Murder/Non Negligent Manslaughter	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Negligent Manslaughter	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Rape	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Fondling	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Incest	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Statutory Rape	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Robbery	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Aggravated Assault	2022	0	0	0
	2021	0	0	0
	2020	0	0	0



**Bay City Planetarium and Learning Center**

<b>Offense</b>	<b>Year</b>	<b>On Campus</b>	<b>Public Property</b>	<b>Total</b>
Burglary	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Motor Vehicle Theft	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Arson	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Domestic Violence	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Dating Violence	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Stalking	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

## Bay City Planetarium and Learning Center

Offense	Year	On Campus	Public Property	Total
Liquor Law Arrests	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Drug Law Arrests	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Weapons Law Arrests	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Drug Law Violations Referred for Disciplinary Action	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

Delta College Bay City Planetarium and Learning Center does not have any residential facilities, therefore no crime statistics are reported for residential facilities.

## **Bay City Planetarium and Learning Center**

### **HATE CRIME REPORTING:**

There were no hate crimes reported for 2020, 2021, and 2022.

### **UNFOUNDED CRIMES:**

Delta College Public Safety did not classify any reported crimes as unfounded in 2020, 2021 and 2022.

The statistics are included for the Bay City Planetarium and Learning Center campus and public property within the required Clery reporting geography. The College has made a written request for crime statistics to the police agencies having jurisdiction involving our reporting geography and for all non-campus properties. Local law enforcement agencies contacted for crime statistics for Bay City Planetarium and Learning Center Campus are the Michigan State Police, the Bay County Sheriff Department, and the Bay City Police Department. In addition, all College CSAs received a written request for reports of crime statistics which includes the Judicial Officer, Dean of Student Success, and coaches, among others. Reportable crime statistics provided to us have been included in this report. Delta College Public Safety is responsible for requesting and compiling the information included in the annual disclosure of crime statistics.

## **Crime Statistics**

Delta College believes an informed public is a safety-conscious public. The following statistics, provided in compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, are for your information. These statistics include incidents that occurred on campus property and public property at the Main Campus, Bay City Planetarium & Learning Center, Downtown Saginaw Center, and Downtown Midland Center.

Non-Campus property incidents are reported for Main Campus. The Bay City Planetarium & Learning Center, Downtown Saginaw Center, and Midland Center do not have non-campus properties.

The Delta College Midland Center moved from 1025 E Wheeler Street, Midland, MI to 419 E Ellsworth Street Midland, MI, effective July 26, 2021. The new center was renamed the Downtown Midland Center. All crime statistics for the Midland Center and the Downtown Midland Center have been combined and reported under the Downtown Midland Center.

Crime statistics for the Downtown Midland Center Statistics reported for 2020 include incidents that occurred between January 1, 2020 and December 31, 2020 that occurred at the Midland Center, 1025 E Wheeler Street Midland, MI.

Crime statistics for the Downtown Midland Center reported for 2021 include incidents that occurred between January 1, 2021 and April 30, 2021 at the Midland Center, 1025 E Wheeler Street Midland, MI and incidents that occurred between July 26, 2021 and December 31, 2021 at the Downtown Midland Center, 419 E Ellsworth Street Midland, MI. These are the dates that the respective centers were open for student services during 2021.

Statistics for the Midland Center reported for 2022 include incidents that occurred between January 1, 2022 and December 31, 2022 that occurred at the Downtown Midland Center located at 419 E Ellsworth Street Midland, MI.

All crime statistics were calculated using standard hierarchy rules.

**Delta College Downtown Saginaw Center**

<b>Offense</b>	<b>Year</b>	<b>On Campus</b>	<b>Public Property</b>	<b>Total</b>
Murder/Non Negligent Manslaughter	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Negligent Manslaughter	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Rape	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Fondling	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Incest	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Statutory Rape	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Robbery	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Aggravated Assault	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

**Delta College Downtown Saginaw Center**

<b>Offense</b>	<b>Year</b>	<b>On Campus</b>	<b>Public Property</b>	<b>Total</b>
Burglary	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Motor Vehicle Theft	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Arson	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Domestic Violence	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Dating Violence	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Stalking	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

## Delta College Downtown Saginaw Center

Offense	Year	On Campus	Public Property	Total
Liquor Law Arrests	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Drug Law Arrests	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Weapons Law Arrests	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Drug Law Violations Referred for Disciplinary Action	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

Delta College Downtown Saginaw Center does not have any residential facilities; therefore, no crime statistics are reported for residential facilities.

## **Delta College Downtown Saginaw Center**

### **HATE CRIME REPORTING:**

There were no hate crimes reported for 2020, 2021 or 2022.

### **UNFOUNDED CRIMES:**

Delta College Public Safety did not classify any reported crimes as unfounded in 2020, 2021 or 2022.

The statistics are included for the Downtown Saginaw Center campus and public property within the required Clery reporting geography. The College has made a written request for crime statistics to the police agencies having jurisdiction involving our reporting geography and for all non-campus properties. Local law enforcement agencies contacted for crime statistics for Downtown Saginaw Center Campus are the Michigan State Police, the Saginaw County Sheriff Department, and the Saginaw City Police Department. In addition, all College CSAs received a written request for reports of crime statistics which includes the Judicial Officer, Dean of Student Success, and coaches, among others. Reportable crime statistics provided to us have been included in this report. Delta College Public Safety is responsible for requesting and compiling the information included in the annual disclosure of crime statistics.



## **Crime Statistics**

Delta College believes an informed public is a safety-conscious public. The following statistics, provided in compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, are for your information. These statistics include incidents that occurred on campus property and public property at the Main Campus, Bay City Planetarium & Learning Center, Downtown Saginaw Center, and Downtown Midland Center.

Non-Campus property incidents are reported for Main Campus. The Bay City Planetarium & Learning Center, Downtown Saginaw Center, and Midland Center do not have non-campus properties.

The Delta College Midland Center moved from 1025 E Wheeler Street, Midland, MI to 419 E Ellsworth Street Midland, MI, effective July 26, 2021. The new center was renamed the Downtown Midland Center. All crime statistics for the Midland Center and the Downtown Midland Center have been combined and reported under the Downtown Midland Center.

Crime statistics for the Downtown Midland Center Statistics reported for 2020 include incidents that occurred between January 1, 2020 and December 31, 2020 that occurred at the Midland Center, 1025 E Wheeler Street Midland, MI.

Crime statistics for the Downtown Midland Center reported for 2021 include incidents that occurred between January 1, 2021 and April 30, 2021 at the Midland Center, 1025 E Wheeler Street Midland, MI and incidents that occurred between July 26, 2021 and December 31, 2021 at the Downtown Midland Center, 419 E Ellsworth Street Midland, MI. These are the dates that the respective centers were open for student services during 2021.

Statistics for the Midland Center reported for 2022 include incidents that occurred between January 1, 2022 and December 31, 2022 that occurred at the Downtown Midland Center located at 419 E Ellsworth Street Midland, MI.

All crime statistics were calculated using standard hierarchy rules.

**Downtown Midland Center**

Offense	Year	On Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Negligent Manslaughter	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Rape	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Fondling	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Incest	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Statutory Rape	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Robbery	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Aggravated Assault	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

## Downtown Midland Center

Offense	Year	On Campus	Public Property	Total
Burglary	2022	1	0	1
	2021	0	0	0
	2020	0	0	0
Motor Vehicle Theft	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Arson	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Domestic Violence	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Dating Violence	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Stalking	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

## Downtown Midland Center

Offense	Year	On Campus	Public Property	Total
Liquor Law Arrests	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Drug Law Arrests	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Weapons Law Arrests	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Drug Law Violations Referred for Disciplinary Action	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

Delta College Midland Center does not have any residential facilities; therefore, no crime statistics are reported for residential facilities.

### HATE CRIME REPORTING:

There were no hate crimes reported for 2020, 2021, and 2022.

### UNFOUNDED CRIMES:

Delta College Public Safety did not classify any reported crimes as unfounded in 2020, 2021, and 2022.

The statistics are included for the Downtown Midland Center campus and public property within the required Clery reporting geography. The College has made a written request for crime statistics to the police agencies having jurisdiction involving our reporting geography and for all non-campus properties. Local law enforcement agencies contacted for crime statistics for Downtown Midland Center Campus are the Michigan State Police, the Midland County Sheriff Department, and the Midland City Police Department. In addition, all College CSAs received a written request for reports of crime statistics which includes the Judicial Officer, Dean of Student Success, and coaches, among others. Reportable crime statistics provided to us have been included in this report. Delta College Public Safety is responsible for requesting and compiling the information included in the annual disclosure of crime statistics.

## **Clery Act Location Definitions**

### **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, including residence halls; and any building or property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person and frequently used by students and supporters for institutional purposes (such as food or other retail vendor).

### **Non-campus building or property**

Any building or property owned or controlled by a student organization officially recognized by the institution; or any building or property (other than a branch campus) owned or controlled by an institution that is used in direct support of or relation to the institution's educational purposes, is frequently used by student, 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.

**Separate Campus**

In broad terms, the Clery Act defines a separate location as other institution owned or controlled location that may include satellite, extension, or similar types of non-contiguous sites that have educational classes or programs leading to a course of study, and administrative personnel on-site.

**HEOA Victim Notification**

Delta College 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 offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. Such request should be made in writing to the VPSES.

## **Sex Offender Registry**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, and the Adam Walsh Child Protection Safety Act of 2006 (42 U.S.C. 16921) require institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

Delta College informs the campus community where they can obtain information regarding registered sex offenders through the counseling and DCDPS offices. In the State of Michigan, information concerning registered sex offenders is available through the Michigan Public Sex Offenders Registry. The link to the Michigan Sex Offenders List may be accessed directly online at: <https://mspsor.com/>

## **Policies and Procedures Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Delta College provides many programs to prevent sexual misconduct, including dating violence, domestic violence, sexual assault, or stalking. We commit to offering a variety of programs that allows our students, faculty, staff, and community members the opportunity to better understand domestic and dating violence, sexual assault and stalking, available resources, how not to become a victim, and safe and effective bystander strategies. Delta College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking. Please see Appendix A for definitions of the above stated crimes according to the Violence Against Women Act, the State of Michigan, and any applicable local jurisdiction.

## **How to Be an Active Bystander**

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 situation 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.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander.

If you or someone else is in immediate danger, dial 911 or 9111 from a campus phone. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt. Here are some examples of safe and positive options for bystander intervention:

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to College or community resources, including those listed in this document, for support in health, counseling, or with legal assistance.



## Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)):

1. **Be aware** of your surroundings. Knowing where you are and who is around that may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are, and who is around you, may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, don't drink it and get a new one.

12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room?

Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### **Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The College engages in programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all new employees and ongoing awareness and prevention campaigns for students that includes:

- A. Delta College prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Michigan;
- D. A description of safe and positive options for bystander intervention.
- E. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase

empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence

F. Information regarding:

- a. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault or stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
- b. How the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- c. 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 institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
- d. Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- e. Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document)

### **Primary Prevention and Awareness Programs**

The institution has developed an annual educational campaign consisting of presentations that include distribution of educational material, participating in and presenting information and materials during new employee and new student orientations.

The annual education campaign includes: that Delta College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking committed by all students, staff, faculty, and visitors; the definition from VAWA (The Violence Against Women Act) of dating violence, domestic violence, sexual assault, and stalking; the definition of consent in reference to sexual activity in Michigan; a description of safe and positive options for bystander intervention; information on risk reduction; programs to prevent dating violence, domestic violence, sexual assault, and stalking; the procedures the College will follow when a crime of dating violence, domestic violence, sexual assault, or stalking is reported; the procedural requirements for institutional discipline in cases of alleged dating violence, domestic violence, sexual assault, or stalking.

During the 2022 calendar year the College offered the following **primary prevention and awareness programs** for **incoming students** in 2022.

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?	Who was included?
Title IX Presentation at Student Orientation	1/1/2022 - 12/31/2022	Virtual	DaV, DoV, SA, S	Students

The College offered the following **primary prevention and awareness programs** for all **new employees** in 2022:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?	Who was included?
NEO Campus Security Authority and Public Safety and Reporting Training	1/28/2022 3/24/2022 5/23/2022 7/13/2022 9/20/2022 11/10/2022	Campus wide	DaV, DoV, SA, S	Employees
NEO Title IX and Diversity & Inclusion	2/3/2022 4/12/2022 6/30/2022 10/18/2022 12/15/2022	Campus Wide	DaV, DoV, SA, S	Employees

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

**Ongoing Prevention and Awareness Campaigns**

The institution has developed an annual educational campaign consisting of presentations that include distribution of educational material, participating in and presenting information and materials throughout the entire year to all students and employees.

The ongoing prevention and awareness campaigns includes: that Delta College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking committed by all students, staff, faculty, and visitors; the definition from VAWA (The Violence Against Women Act) of dating violence, domestic violence, sexual assault, and stalking; the definition of consent in reference to sexual activity in Michigan; a description of safe and positive options for bystander intervention; information on risk

reduction; programs to prevent dating violence, domestic violence, sexual assault, and stalking; the procedures the College will follow when a crime of dating violence, domestic violence, sexual assault, or stalking is reported; the procedural requirements for institutional discipline in cases of alleged dating violence, domestic violence, sexual assault, or stalking.

The College offered the following **ongoing awareness and prevention programs** for **students and employees** in 2022:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?	Who was included?
National Human Trafficking Awareness Month Display Case & Stalking Awareness Month Student Blast	1/1/2022 – 1/31/2022	Main Campus Display Case, Virtual	SA, S	Students/ Employees
Healthy Relationship Student Blast/Display Case	2/1/2022 - 2/28/2022	Virtual, Main Campus Display Case	DoV, DaV	Students/ Employees
Mandated Reporter Training	2/2/2022 7/12/2022 8/24/2022 8/24/2022 9/14/2022 9/20/2022	Virtual	DaV, DoV, SA, S	New Employees Employees Faculty SLA/Tutors SES Staff SES Staff
Consent Student Blast	3/1/2022 – 3/31/2022	Virtual	DaV, DoV, SA, S	Students/ Employees

Title IX Display Case	3/1/2022-3/31/2022	Main Campus	DaV, DoV, SA, S	Students/ Employees
Sexual Assault Awareness Month Student Blast	4/1/2022 - 4/30/2022	Virtual	SA	Students/ Employees
SAAM Wheel of Knowledge Trivia	4/5/2022 & 4/6/2022	Main Campus	SA	Students/ Employees
Every 68 Seconds Display	4/11/2022 & 4/14/2022	Main Campus	SA	Students/Employees
Denim Day	4/27/2022	All Centers	SA	Students/Employees
Pluck a Duck Scavenger/Trivia	4/1/2022-4/22/2022	All Centers	SA	Students/Employees
SAAM Townhall	4/8/2022	Virtual	SA	Employees
TIX Advisors and Decision Makers Training	8/2/2022 9/30/2022	Main	DaV, DoV, SA, S	Employees
Title IX Outhouse Outlook & Student Blast	9/1/2022 - 9/30/2022	Main Campus & Virtual	DaV, DoV, SA, S	Students/ Employees
Student Athlete Title IX Training	8/26/2022	Main Campus	DaV, DoV, SA, S	Students
Domestic Violence Awareness Month Display Case	10/1/2022-10/31/2022	Main Campus	DaV, DoV	Students/ Employees
Domestic Violence Student Blast & Outhouse Outlook	10/1/2022 - 10/31/2022	Main Campus & Virtual	DoV	Students/ Employees



Virtual Tombstone Project	10/1/2022 - 10/31/2022	Virtual & Main Campus Courtyard	DaV, DoV	Students/ Employees
Empty Place at the Table Display	10/1/2022 - 10/31/2022	Main Campus & Downtown Centers	DaV, DoV	Students/ Employees
DVAM Wheel of Knowledge Trivia	10/4/2022 10/6/2022 10/11/2022 10/19/2022 10/25/2022	Main Campus and Centers	DaV, DoV	Students/Employees
Then Everything Changed with Panel Discussion	10/26/2022	Virtual	DoV, DaV	Students/employees
Proactive Bystander Student Blast & Outhouse Outlook	11/1/2022 - 11/30/2022	Main Campus & Virtual	DaV, DoV	Students/ Employees
Human Trafficking Student Blast & Outhouse Outlook	12/1/2022 - 12/31/2022	Main Campus & Virtual	SA	Students/ Employees

## **Procedures Victims/Survivors Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and/or Stalking Occurs**

After an incident of sexual assault, dating violence or domestic violence, the victim/survivor should consider seeking medical attention as soon as possible at an area hospital or center qualified in sexual assault evidence collection:

### **Saginaw County:**

Underground Railroad

1230 S Washington Ave, Saginaw, MI 48607

(989)-755-1311

Child & Family Services of Saginaw

2838 Automotive Centre Rd, Saginaw, MI 48603

(989) 790-9118

### **Bay County:**

Bay Area Women's Center

3411 E Midland Rd Bay City, MI

(989) 686-4551

### **Midland County:**

Shelterhouse

2500 Waldo Ave. Midland, MI

(989) 835-6771

In Michigan, evidence may be collected even if you chose not to make a report to law enforcement. Evidence of a sexual assault is collected by a Sexual Assault Nurse Examiner (SANE) at a health care facility, typically a hospital emergency room. The

evidence should be collected within 120 hours of the incident. The victim/survivor of a sexual assault has the option to have the evidence securely held by the health care facility for up to one year. After one year, the health care facility will destroy the evidence unless the victim/survivor directs otherwise. The health care facility will only release the evidence to law enforcement with consent from the victim/survivor. If the victim/survivor consents, the health care facility must contact law enforcement within 24 hours. The law enforcement agency must collect the evidence from the health care facility within 14 days and must submit the evidence for analysis within 90 days. The victim/survivor also has the option to take the evidence from the health care facility. The victim/survivor then has the option to turn evidence over to law enforcement, destroy the evidence, or do nothing with the evidence.

It is important that a victim/survivor of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred, or is occurring, or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims/survivors do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims/survivors of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, which would be useful to the College adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim/survivor chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with DCDPS or other law enforcement to preserve evidence in the event that the victim/survivor decides to report the incident to law enforcement or the

College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

### **Involvement of Law Enforcement and Campus Authorities**

Although the College strongly encourages all members of its community to report violations of this policy to DCDPS or law enforcement (including on campus law enforcement and/or local police), it is the victim's/survivor's choice whether or not to make such a report. Furthermore, victims/survivors have the right to decline to notify law enforcement. However, the College Title IX Coordinator, Loyce Brown, or Deputy Coordinator/Investigator, Allie Martinez, will assist any victim with notifying law enforcement if the victim so desires. The Title IX Coordinator or Deputy Coordinator/Investigator may be reached directly by calling 989-686-9547, in person at J-101, or by email at [titleix@delta.edu](mailto:titleix@delta.edu). Delta College Public Safety Department may also be reached directly by calling 989-686-9113, in person at N- 102, 1961 Delta Road, University Center, Michigan, 48710. Additional information about the Delta College Public Safety Department may be found online at: <http://www.delta.edu/services-support/safety.html>.

### **Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

If you have been the victim/survivor of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Office by calling 989-686-9547, writing or emailing [titleix@delta.edu](mailto:titleix@delta.edu) or coming into the office (J-101) to report in person. If the victim/survivor so desires he/she should report the incident promptly to DCDPS by calling 989-686-9111, in person in room N-102, online by completing the [Title IX, Sexual Misconduct and Gender Discrimination Reporting Form](#) or anonymously by filing a report with Silent Witness [Silent Witness Form](#). Anonymous third-party reporters (those reporting on behalf of another) may use the same means of reporting as victims/survivors. Reports will be taken and investigated to the extent

possible even if the identity of the victim/survivor and/or perpetrator are not known. Reports of all domestic violence, dating violence, sexual assault and stalking made to DCDPS will automatically be referred to the Title IX Office for investigation regardless of whether the complainant chooses to pursue criminal charges.

### **Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported**

The College has procedures in place that serve to be sensitive to victims/survivors (referred to as a complainant for the purposes of College procedures) who report sexual assault, domestic violence, dating violence, and stalking, including informing complainants about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and a respondent party, such as academic, and working accommodations, if reasonably available. The College will make such accommodations, if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to the DCDPS or local law enforcement. Additionally, these procedures provide due process to the alleged individuals (referred to as a respondent for the purposes of College procedures) and equally provides them with supportive measures as requested and deemed appropriate. Students and employees should contact the Title IX Coordinator, Loyce Brown, or Deputy Coordinator/Investigator, Allie Martinez, by calling 989-686-9547, writing or emailing [titleix@delta.edu](mailto:titleix@delta.edu) or coming into the office (J-101) to request in person.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

<b>Incident Being Reported</b>	<b>Procedure Institution Will Follow</b>
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), the College will provide complainant with access to medical care</li> <li>2. The College will assess immediate safety needs of complainant</li> <li>3. The College will assist complainant with contacting local police if complainant requests and provide the complainant with contact information for local police department</li> <li>4. The College will provide complainant with referrals to on or off campus mental health providers</li> <li>5. The College will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. The College will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. The College will provide a “No trespass” (PNG) directive to respondent party, if deemed appropriate</li> <li>8. The College will provide written instructions on how to apply for Protective Order</li> <li>9. The College will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. The College will inform the complainant of the outcome of the investigation, whether or not the respondent will be administratively charged and of the outcome of the case.</li> <li>11. The College will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>

<b>Incident Being Reported</b>	<b>Procedure Institution Will Follow</b>
<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), the College will provide complainant with access to medical care</li> <li>2. The College will assess immediate safety needs of complainant</li> <li>3. The College will assist complainant with contacting local police if complainant requests and provide the complainant with contact information for local police department</li> <li>4. The College will provide complainant with referrals to on or off campus mental health providers</li> <li>5. The College will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. The College will provide the complainant with a written explanation of the complainant’s rights and options</li> <li>7. The College will provide a “No trespass” (PNG) directive to respondent party, if deemed appropriate</li> <li>8. The College will provide written instructions on how to apply for Protective Order</li> <li>9. The College will provide a copy of the policy applicable to the report, to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. The College will inform the complainant of the outcome of the investigation, whether or not the respondent will be administratively charged and of the outcome of the case.</li> <li>11. The College will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.</li> </ol>

<b>Incident Being Reported</b>	<b>Procedure Institution Will Follow</b>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), the College will provide complainant with access to medical care</li> <li>2. The College will assess immediate safety needs of complainant</li> <li>3. The College will assist complainant with contacting local police if complainant requests and provide the complainant with contact information for local police department</li> <li>4. The College will provide complainant with referrals to on or off campus mental health providers</li> <li>5. The College will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. The College will provide the complainant with a written explanation of the complainant’s rights and options</li> <li>7. The College will provide a “No trespass” (PNG) directive to the respondent party, if deemed appropriate</li> <li>8. The College will provide written instructions on how to apply for Protective Order</li> <li>9. The College will provide a copy of the policy applicable to the report, to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. The College will inform the complainant of the outcome of the investigation, whether or not the respondent will be administratively charged and of the outcome of the case.</li> <li>11. The College will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>



<b>Incident Being Reported</b>	<b>Procedure Institution Will Follow</b>
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li> <li>2. The College will assess immediate safety needs of complainant</li> <li>3. The College will assist complainant with contacting local police if complainant requests and provide the complainant with contact information for local police department</li> <li>4. The College will provide complainant with referrals to on or off campus mental health providers</li> <li>5. The College will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. The College will provide the complainant with a written explanation of the complainant's rights and options</li> <li>7. The College will provide a "No trespass" (PNG) directive to the respondent party, if deemed appropriate</li> <li>8. The College will provide written instructions on how to apply for Protective Order</li> <li>9. The College will provide a copy of the policy applicable to the report, to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. The College will inform the complainant of the outcome of the investigation, whether or not the respondent will be administratively charged and of the outcome of the case.</li> <li>11. The College will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>

## **Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community after the completion of an investigation;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action.

### **Rights of Victims and the Institution's Responsibilities for Orders of Protection (*"No Contact" Orders, Restraining Orders, or Similar Lawful Orders*) Issued by a *Criminal, Civil, or Tribal Court or by the Institution***

Delta College complies with Michigan law in recognizing orders of personal protection (PPO). Any person who obtains an order of protection from any US state should provide a copy to DCDPS and the Title IX Office. A victim/survivor may then meet with DCDPS to develop a Safety Action Plan, which is a plan for campus police and the victim/survivor to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. The College cannot apply for a legal order of protection, no contact order or restraining order for a victim/survivor from the applicable

jurisdiction(s). The victim/survivor is required to apply directly for these services in conjunction with the county clerk's office or circuit court in the county where he/she lives. Ask for a "do-it-yourself" personal protection packet. The packet will provide the necessary forms and instruction on how to fill them out. If you are in immediate danger, ask the court for an ex parte order. The order goes into effect as soon as the judge signs it. The county clerk's office is responsible for providing a copy of the order to the local police agency so that it can immediately be entered into the Law Enforcement Information Network (LEIN). The College may issue an institutional no contact order if deemed appropriate or at the request of the victim/survivor or accused. If the College receives a report that such an institutional no contact order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

### **Accommodations and Protective Measures Available for Victims/Survivors**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Delta College will discuss with the students and employees about accommodations available to them, including academic, living, transportation and working situations or protective measures. The notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim/survivor's request, and to the extent of the victim/survivor's cooperation and consent, College offices will work cooperatively to assist the victim/survivor in obtaining accommodations. If reasonably available, a victim/survivor may be offered changes to academic or working situations regardless of whether the victim/survivor chooses to report the crime to DCDPS or local law enforcement.

Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working schedule. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, transportation, and/or working situations or protective measures, a victim/survivor should contact the Title IX Office if he/she is a student or employee. Employees may also contact the Human Resources department. If the victim/survivor wishes to receive assistance in requesting these accommodations, she or he should contact the Dean of Student Success or the Title IX Office if they are a student (or employee). Employees may also contact the Human Resources department.

### **On and Off Campus Services for Victims/Survivors**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Delta College will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. Delta College will provide information about services available within the College and those available within the larger community the College serves.

These resources include the following:

## On Campus Resources

ON CAMPUS	Type of Services Available	Service Provider	Contact Information
<b>Counseling</b>	Personal and Academic Counseling	Delta College Counseling & Advising Department	D- 102 <a href="mailto:confidentialcounsel@delta.edu">confidentialcounsel@delta.edu</a> Phone: 989-686-9330
<b>Health</b>	Medical Mobile Unit	Great Lakes Bay Health Center	Student Services D-102 989-686-9444 <a href="#">Medical Services</a>
<b>Mental Health</b>	Personal and Academic Counseling	Delta College Counseling & Advising Department	D- 102 <a href="mailto:confidentialcounsel@delta.edu">confidentialcounsel@delta.edu</a> Phone: 989-686-9330
<b>Title IX Advisors</b>	Information and Support	Delta College Employees - Trained	Go to: <a href="https://www.delta.edu/equity/title-ix/index.html">https://www.delta.edu/equity/title-ix/index.html</a> ; then scroll down and click on the Title IX/VAWA Advisor area
<b>Legal Assistance</b>	Not Available		
<b>Visa and Immigration Assistance</b>	Delta College does not provide visa or immigration assistance. Students can receive advising regarding compliance and maintains of F-1 Student status.	Delta College International Advising Coordinator	D-102 <a href="mailto:counsel@delta.edu">counsel@delta.edu</a> Phone: 989-686-9330

## On Campus Resources

ON CAMPUS	Type of Services Available	Service Provider	Contact Information
<b>Student Financial Aid</b>	Information, resources, and support	Delta College Financial Aid Office	D-101 <a href="mailto:financialaid@delta.edu">financialaid@delta.edu</a> Phone: 989-686-9080
<b>Other</b>	Disability Resources	Delta College Disability Resources Office	D-101 <a href="mailto:disabilityresources@delta.edu">disabilityresources@delta.edu</a> Phone: (989) 686-9794
<b>Other</b>	Delta Closet and Delta Food Pantry	Student Educational Services	<b>Delta Closet (D-134)</b> <a href="mailto:deltacloset@delta.edu">deltacloset@delta.edu</a> (989) 686-9259 <b>Delta Food Pantry (D-101)</b> <a href="mailto:foodpantry@delta.edu">foodpantry@delta.edu</a> Phone: (989)686-9382

## Off Campus Resources

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
<b>Counseling</b>	Counseling and Domestic Violence & Sexual Assault Services	Bay Area Women's Center	3411 E. Midland Rd. Bay City, MI 48706 (989) 686-4551
	Counseling and Domestic Violence & Sexual Assault Services	Council on Domestic Violence & Sexual Assault/Shelterhouse	2500 Waldo Ave. Midland, MI 48642 (877) 216-6383
	Counseling and Domestic Violence & Sexual Assault Services	Child & Family Services of Saginaw	2838 Automotive Centre Rd, Saginaw, MI 48603 (989) 790-9118
	Counseling and Domestic Violence & Sexual Assault Services	Underground Railroad	1230 S. Washington Saginaw, MI 48607 (989) 755-0411

## Off Campus Resources

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
<b>Health</b>	Medical Attention	McLaren Bay Regional Healthcare	1900 Columbus Ave, Bay City, MI 48708 (989) 894-3000
	Medical Attention	Mid-Michigan Medical Center	4005 Orchard Dr. Midland, MI 48670 (989) 839-3000
	Medical Attention	Ascension St. Mary's Hospital	800 S Washington Ave Saginaw, MI 48601 (989) 907-8000
	Medical Attention	Covenant HealthCare	900 Cooper Ave. Saginaw, MI 48602 (989) 583-0000
<b>Mental Health</b>	Mental Health Services	Bay-Arenac 24 hour Crisis Hotline	(800) 327-4693
	Mental Health Services	Midland County 24 hour Crisis Hotline	(800) 317-0708,  TDD (989) 631-0870
	Mental Health Services	Saginaw County 24 hour Crisis Intervention	(989) 792-9732
<b>Victim Advocacy</b>	Victim support and assistance	Victim Witness Unit <b>Bay County</b>	Courthouse 1230 Washington Ave, Bay City, MI 48708 (989)895-4243
	Victim support and assistance	Victim Witness Unit <b>Midland County</b>	Courthouse 301 W. Main St. Midland, MI 48640 (989)832-6722
	Victim support and assistance	Victim Witness Unit <b>Saginaw County</b>	Courthouse 111 S. Michigan Ave. Saginaw, MI 48602 (989)790-5561

## Off Campus Resources

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
<b>Legal Assistance</b>	Legal Representation	Saginaw County Prosecuting Attorney's Office	Courthouse 111 S. Michigan Ave. Saginaw, MI 48602 (989) 790-5330
	Legal Representation	Bay County Prosecuting Attorney's Office	1230 Washington Ave Suite 768 Bay City, MI 48708 (989) 895-4185 <a href="http://www.baycounty-mi.gov">www.baycounty-mi.gov</a>
	Legal Representation	Midland County Prosecuting Attorney's Office	Courthouse 301 W. Main Midland, MI 48640 (989) 832-6722
<b>Visa and Immigration Assistance</b>	<b>Legal Representation for Immigration &amp; Naturalization, Human trafficking</b>	Michigan Poverty Law Program/ Michigan Immigrant Rights Project	34276 52 <sup>nd</sup> St Bangor, MI 49008 (269)492-7196
<b>Student Financial Aid</b>	Assistance in applying for aid, student loans, FAFSA	US Department of Education	<a href="#">Student Aid</a> <b>1-800-USA-LEARN</b> (1-800-872-5327)

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<https://www.rainn.org/> – Rape, Abuse and Incest National Network

<https://www.justice.gov/ovw/sexual-assault> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> - Department of Education, Office of Civil Rights



## **Confidentiality**

Victims/Survivors may request to the College Registrar's Office that directory information on file with the College be withheld. Regardless of whether a victim/survivor has opted-out of allowing the College to share "directory information," personally identifiable information about the victim/survivor and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim/survivor, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim/survivor to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims/survivors in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim/survivor and other personally identifiable information about the victim/survivor will be withheld.

## **Adjudication of Violations**

The College's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the applicable College policy and that is transparent to the complainant and the respondent. Usually, the resolution of domestic violence, dating violence, sexual assault, and stalking complaints are completed within 90 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the complainant and the respondent of the delay and the

reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the complainant and promotes accountability. Furthermore, each policy provides that:

1. The complainant and the respondent will have timely notice for meetings at which the complainant or respondent, or both, may be present;
2. The complainant, the respondent and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The College disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent;
4. The complainant and the respondent will have the same opportunities to have an advisor present during any College disciplinary proceeding. The complainant and the respondent each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the complainant or the respondent in any meeting or College disciplinary proceeding. However, the role of the advisor is limited to advising of the advisee. The advisor may not address or cross examine anyone in the meeting, discuss evidence, accusations, sanction, or other matters with anyone in the meeting other than the advisee, and may not be a disruption to the interview or investigation process. An advisor may only consult and advise his or her advisee, but may not speak for the advisee at any meeting except at a Title IX hearing at which an advisor is required to conduct the questioning on behalf of a complainant or respondent;

5. The complainant and the respondent will be notified simultaneously, in writing, of any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the complainant and the respondent will be notified simultaneously in writing, of the procedures for the respondent and the complainant to appeal the result of the College disciplinary proceeding. When an appeal is filed, the complainant and the respondent will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the College or a person may file a complaint under the Title IX Sexual Harassment Policy or the Sexual Misconduct & Gender Discrimination Policy alleging that a student or employee violated the College's applicable policy on Dating Violence, Domestic Violence, Sexual Assault, and Stalking.

## **Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking**

### **Title IX Reporting Procedure**

#### **1. *How to File a Disciplinary Complaint Under This Procedure***

Notify the appropriate College authorities by one of the following methods:

- Calling DCDPS at:
  - extension **9111** from any College phone,
  - **(989) 686-9111** from any other phone,
- Calling the Title IX Office at **(989) 686-9547**

If the offense occurs when the campus is closed, notify the local Police Department who will notify College officials. You may also notify College officials by:

- Calling the Title IX Office at **(989) 686-9547 (leave a message)**

- Emailing the reporting hotline at [report@delta.edu](mailto:report@delta.edu) or
- Submitting an complaint at: [Title IX, Sexual Misconduct & Gender Discrimination Reporting Form](#) or
- Submitting anonymous information into the online form at [Silent Witness](#)

Complainants have the right but are not required to notify or file a complainant with any law enforcement agency.

The full policies and procedures can be located at: [Delta College Sexual Misconduct & Gender Discrimination Policy and Procedures](#) or [Title IX Sexual Harassment Policy](#)

## ***2. How the College Determines Whether This Procedure Will be Used***

Upon receipt of a report, an initial intake will be performed by the Title IX Coordinator or Deputy Coordinator/Investigator to determination which policy and process applies. The appropriate process will then be followed for any report of Dating Violence, Domestic Violence, Sexual Assault, or Stalking regardless of student or employee occupation. On a case by case basis, the Student Code of Conduct process or Academic Integrity process may be followed for other College policy violations concerning students; employee's violations of other College policies would be referred to the Human Resources department. The decision will be made by the Title IX Coordinator or Deputy Coordinator/Investigator. The Title IX Office may consult with the Dean of Student Success or the Director of Human Resources as appropriate to inform the decision.

## ***3. Steps in the Disciplinary Process***

The major steps in the Title IX process include, but are not limited to: report of the incident, interim measures if needed, preliminary investigation, notice of intent to investigate, investigation/interviews, final outcome letter, sanctions, and appeal if applicable.

#### ***4. Anticipated Timelines***

Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 - 90 days of the report, depending on the applicable policy. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay.

#### ***5. Decision-Making Process***

An investigation will be conducted in accordance with the applicable policy and procedures. All investigations and proceedings of sexual misconduct, including, sexual assault, domestic violence, dating violence and stalking will be conducted by the Title IX Coordinator or Deputy Coordinator/Investigator who receives annual training on the nature and types of cases they are handling, how to conduct an investigation, and how to conduct a proceeding in a manner that protects the safety of survivors, promotes accountability and ensures due process. Examples of information taken into consideration during the hearing/investigation process are, but not limited to: testimony, reports, sworn statements, photos, messages through text or social media, etc. In accordance with the applicable policy and procedures, the decision-maker (not the Title IX Coordinator or Deputy Coordinator/Investigator) will review the investigation report, review any recommendations (if applicable), facilitate a hearing (if applicable) and make a final determination and determine disciplinary action, as appropriate.

#### ***6. Standard of Evidence***

The standard of proof required in investigations of sexual misconduct, including dating violence, domestic violence, sexual assault or stalking is a preponderance of evidence, i.e., the evidence demonstrates that it is more likely than not that the conduct occurred. This standard is often referred to as a "50% plus a feather". The burden shall

be on the College to show by a preponderance of the evidence that the respondent engaged in the unlawful act.

## **7. Possible Sanctions**

Delta College may impose any sanction, penalty, remedial action, educational activity, or community-service requirement that it deems appropriate. For students, those consequences may include, but are not limited to: verbal or written warnings, probation, expulsion, withholding of transcript/certification/or degree, revocation of admission and/or degree, suspension of eligibility to represent the College in athletic competitions or other events, removal of officers and members, fines, withdrawal of financial or other support such as office space, loss of specified privileges, restitution, letters of apology, reflective writings, no trespassing letter, completion of organizational or campus-wide education initiatives or completion of other compensatory requirements. Any sanction may be with or without other restrictions, or may be in any combination thereof. **Failure to comply with the terms of a sanction may result in additional disciplinary action.** Copies of the notice for any penalty or sanction may be sent to appropriate College offices. The following example list of sanctions is illustrative rather than exhaustive. It does not indicate a specific order that must be followed as the severity of a violation may necessitate a more severe sanction.

**Warning (verbal or written)** - A verbal or written notification that a violation of the Code of Conduct occurred and that any further findings of misconduct may result in more severe disciplinary action. Warnings are typically recorded for internal purposes and will be included in the student's conduct file/record, but will not be part of the student's permanent academic record. A student who receives a warning is still considered in good standing at the College.

**Loss of privileges-** Delta College may deny the use of certain College facilities or the right to participate in certain activities or to exercise certain privileges for a

designated period of time. Examples of this could include students being blocked from course registration, denial of transcript request/release, etc.

**Restitution-** A student may be required to make payment to an individual or to the College related to the misconduct for damage, destruction, defacement, theft, or unauthorized use of property.

**Fines-** Delta College reserves the right to impose fines, as appropriate, in addition to requiring payment for costs resulting from or associated with the offense(s).

**Relocation or removal from classes or campus-** Relocation is the reassignment of a student from one class to another as a result of the offense(s) or during an investigation and will be based upon the best interests of the parties involved. Removal from class (es) or campus may be temporary or permanent based on offense, investigation, and sanctions imposed.

**Educational requirements/referrals-** Delta College typically attempts to make an educational response when deemed appropriate. The College reserves the right to impose reflective writings or research papers, letters of apology, counseling, or substance assessment and interventions, or other required educational sanctions. Educational sanctions may be included with other penalties or sanctions.

**Behavioral Contract-** Delta College may require a contract between the College and student(s) for the purpose of improving behavior/attitude. The behavioral contract includes specific obligations or behaviors which the student(s) must meet within a specified time period. The contract serves as the working agreement between the student(s) and the College as enforced by the contract facilitator (Judicial Officer, Dean, administrator, or designee).

**Probation-** Delta College may issue a written notification that indicates a serious and active response to a violation of the Code of Conduct. Probation is for a designated period of time and includes the probability of more severe sanctions if found responsible for any further violations of the Code of Conduct, including suspension or expulsion from the College. Probations are recorded internally and will be included in the student's conduct file/record, as well as the College's student data base(s), but will not be part of the student's permanent academic record or indicated on a transcript. A student who received a letter of probation is considered to not be in good standing at the College.

**Suspension-** The separation of a student from the College for a specified period of time, after which the student is eligible to return. Conditions for re-enrollment may be required and will be included in the notification of suspension or upon re-admittance. A student who received a letter of suspension is considered to not be in good standing at the College.

During the period of suspension, the student may not participate in College academic or extracurricular activities; may be barred from all property owned or operated by the College; and depending on the severity of the charge, the student may not be allowed completion of their degree during the time period of suspension. Students who are suspended may not be on campus without specific, prior written permission of the Dean of Student Success, Director of Public Safety or designee.

Suspension is for a designated period of time and includes the probability of more severe sanctions, including expulsion, if found in any further violations of the Code of Conduct. Suspensions will be recorded internally, in the student's conduct file/record, the College's student database, and will be part of the student's permanent academic record, but not indicated on a transcript.

**Expulsion-** Expulsion is the permanent separation of the student from the College. Students who have been expelled may not be on campus without prior,



specific, written permission from the Dean of Student Success, Director of Public Safety or designee. A student who is expelled is considered to have their relationship with the College severed. The student will not be allowed completion of their degree awarded by the institution. Expulsions will be recorded internally, in the student's conduct file/record, the College's student database, and the student's permanent academic record.

**Revocation of Admission and/or Degree-** Admission to or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

**Withholding Transcript/Certification/Degree-** The College may withhold transcripts or delay awarding a degree/certificate that may otherwise be earned until the completion of the process set forth in the Code of Conduct, including the completion of all interviews during an investigation, and completion of any imposed sanctions or penalties.

***Employee Sanctions for Misconduct***

	<i>Verbal Warning</i>	<i>Written Discipline/ Warning</i>	<i>Final Warning &amp; Suspension</i>	<i>Termination/ Discharge</i>
<i>Administrative Professional Staff</i>	X	X	X	X
<i>Facilities Management</i>	X	X	X	X
<i>Faculty (Full Time)</i>	X	X	X	X
<i>Food Services</i>	X	X	X	X

<i>Part Time Employees Including Adjunct Faculty</i>	X	X	X	X
<i>Support Staff</i>	X	X	X	X

**8. Range of Supportive Measures Available to Students Involved in Sexual Misconduct Resolution Proceedings:**

Supportive measures are those services, accommodations, or other assistance that the College puts in place for parties participating in a resolution process after receiving notice of alleged sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking but before any final outcomes – investigatory, disciplinary or remedial – have been determined. We want students to be safe, to receive appropriate medical attention, and to get the help they need to heal and to continue to access their educational opportunities. We also want to ensure students receive due process and maintain access to their educational programs and activities during the resolution process. Upon receiving a report of sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking, the College will provide the parties (and their advisors, if applicable) with a written explanation of the supportive measures available on campus and through local community resources. Some possible supportive measures are listed below, and the College determines which measures are appropriate for a particular party on a case-by-case basis. Not all of the measures listed below will be necessary in every case to keep parties safe and ensure their equal access to educational programs and activities. If a party or advisor identifies a supportive measure that is not already provided by the College, the College will consider whether the request can be granted.

- Academic accommodations (for additional information, see below)
- Mental health services, including counseling
- Assistance in arranging for alternative College employment arrangements and/or changing work schedules

- A “No contact” directive pending the outcome of an investigation. Such a directive serves as notice to both parties that they must not have verbal, electronic, written, or third-party communication with one another
- A “No Trespass” directive pending the outcome of an investigation
- Providing an escort to ensure that the student can move safely between school programs and activities
- Assistance identifying an advocate to help secure additional resources or assistance including off-campus and community advocacy, support, and services

The College will work with the parties (and their advisors, if applicable) to identify what supportive measures are appropriate in the short term (e.g., during the pendency of an investigation or other school response), and will continue to work collaboratively throughout the College’s process and as needed thereafter to assess whether the instituted measures are effective, and if not, what additional or different measures are necessary to keep the parties safe and ensure their equal access to educational programs and activities.

***Employees:***

The following applies to all employee classifications. Supportive measures are those services, accommodations, or other assistance that the College puts in place for complainants after receiving notice of alleged sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking but before any final outcomes – investigatory, disciplinary or remedial – have been determined. Delta College wants employees to be safe, to receive appropriate medical attention, and to get the help they need to heal and to continue to access their professional opportunities. We also want to ensure employees receive due process and maintain appropriate access to their professional opportunities during the resolution process. Upon receiving a report of sexual misconduct, including dating violence, domestic violence, sexual assault, and/or stalking, the College will provide resources. Employee victims alleging sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking as

well as employees accused of such misconduct will be provided information regarding resources for the employee to seek assistance including the Employee Assistance Program, DCDPS, full-time employees may also have access to Delta College medical benefits. The policies that pertain to these situations in the workplace are: College Policy: HARASSMENT.

Harassment is defined as unwelcome conduct that unreasonably interferes with work or study, or creates an abusive, hostile, or offensive environment as defined by Michigan or Federal law. The protections of this policy are available to all persons, including those defined by College Policy: Equal Opportunity.

Complaints and concerns will be followed by appropriate action from the Equity and/or Human Resources offices, as defined by the procedures.

- If the issue is employee to employee or employee to student the College will investigate.
- If the issue is employee to community member or person providing services to the College, the College will investigate.
- If the issue is non work related, the College will provide information regarding resources for the employee to seek assistance.

Employees who believe that they have been subjected to harassment of any nature are encouraged to report this to personnel in one of the following offices: Academic, Equity, Human Resources, off-campus administration, DCDPS, or Student and Educational Services.

### **College-Initiated Protective Measures**

In addition to those supportive measures previously described, the Title IX Coordinator, Deputy Coordinator/Investigator or their designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a College order of no contact, adjustment of course schedules, a leave of absence, or reassignment to a different

supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action.

Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Delta College.

## **Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking: Clery Act, State Jurisdictional Definitions**

### **Domestic Violence:**

#### **Clery Act:**

A Felony or misdemeanor crime of violence committed—

- A) By a current or former spouse or intimate partner of the victim;
- B) By a person with whom the victim shares a child in common;
- C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- E) 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.

A "crime of violence" means-

- A) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- B) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense

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

**State of Michigan:**

Domestic Violence means the occurrence of any of the following acts by a person that is not an act of self-defense: causing or attempting to cause physical or mental harm to a family or household member; placing a family or household member in fear of physical or mental harm; causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress; and/or engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Domestic violence is a misdemeanor punishable by up to 93 days in jail and/or a \$500 fine.

Under Michigan law, a person has a domestic relationship if any of the following apply:

- Spouse or former spouse
- Dating relationship or former dating relationship
- Child in common
- Resident or former resident of the same household

The complete State of Michigan definition of domestic violence can be found at:  
<http://www.legislature.mi.gov/%28S%28mo2chantgwopkuoygpas3mow%29%29/mileg.aspx?page=GetObject&objectname=mcl-750-81> .

## **Dating Violence:**

### **Clery Act:**

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 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—

- A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- B) Dating violence does not include acts covered under the definition of domestic violence.

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

### **State of Michigan:**

The State of Michigan defines a “family or household member” for the purposes of Domestic Violence to include; “An individual with whom the person has or has had a dating relationship” and “An individual with whom the person is or has engaged in a sexual relationship”. “Dating relationship” means frequent, intimate associations primarily characterized by the expectation of affectional involvement. Dating relationship does not include a causal relationship or an ordinary fraternization between 2 individuals in a business or social context.

The complete State of Michigan definition of domestic violence and dating violence can be found at:

<http://www.legislature.mi.gov/%28S%28mo2chantgwopkuoygpas3mow%29%29/mileg.aspx?page=GetObject&objectname=mcl-750-81>

## Sexual Assault

### Clery Act:

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.



**State of Michigan:**

The State of Michigan identifies sexual assault as: Criminal Sexual Conduct (CSC). There are four degrees of CSC: First and Third Degrees require sexual penetration; Second and Fourth Degrees require sexual contact.

“Sexual contact” includes the intentional touching of the victim’s or actor’s intimate parts or the intentional touching of the clothing covering the immediate area of the victim’s or actor’s intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for revenge, to inflict humiliation or out of anger.

“Intimate parts” includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.

“Sexual penetration” means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person’s body or of any object into the genital or anal openings of another person’s body, but emission of semen is not required (MI Penal Code, Act 328 of 1931, 750.20a).

The complete State of Michigan definition of sexual assault can be found at:  
[http://www.legislature.mi.gov/\(S\(adku4jybtam2ozzkiwdlo2lj\)\)/mileg.aspx?page=getObject&objectName=mcl-328-1931-LXXVI](http://www.legislature.mi.gov/(S(adku4jybtam2ozzkiwdlo2lj))/mileg.aspx?page=getObject&objectName=mcl-328-1931-LXXVI)

## **Stalking:**

### **Clery Act:**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- A) Fear for the person’s safety or the safety of others; or
- B) Suffer substantial emotional distress

For the purposes of this definition—

- A) *Course of conduct* means two or more acts, including, but not limited to, acts 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
- B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim
- C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

### **State of Michigan:**

“Stalking” means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

“Course of conduct” means a pattern of conduct composed of a series of two or more separate non-continuous acts evidencing a continuity of purpose.

“Emotional distress” means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

“Harassment” means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.

“Unconsented contact” means any contact with another individual that is initiated or continued without that individual’s consent or in disregard of that individual’s expressed desire that the contact be avoided or discontinued (examples of unconsented contact are included in the Act).

(Michigan Penal Code, Act 328 of 1931, Sec 750.411h)

The complete State of Michigan definition of stalking can be found at:

<http://www.legislature.mi.gov/%28S%28yk3l4pcgzb2mu2vogrpwmznk%29%29/mileg.aspx?page=getObject&objectName=mcl-750-411h> .

## **Consent:**

The term consent is not defined in law by the State of Michigan. However, State of Michigan courts through jury instructions as have identified the term consent: "...A person consents to a sexual act by agreeing to it freely and willingly, without being forced or coerced."

The State of Michigan definition for consent is used during criminal trials alleging a violation of State of Michigan Criminal Sexual Conduct statutes (consent, or lack thereof, is not an element of all Criminal Sexual Conduct statutes).

The College Student Code definition of consent: "For purposes of this policy, consent to sexual activity is defined as: clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual acts. Consent cannot be inferred from the absence of a "no." A clear "yes," verbal or otherwise, is necessary. Silence, passivity, or lack of active resistance does not imply consent. Consent must be clear and unambiguous for each participant throughout any sexual encounter. Consent to some sexual contact does not imply consent to others, nor does past consent to a given act imply ongoing or future consent. Consent can be revoked at any time. Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. Consent cannot be obtained by intimidation, threat, coercion, or force. Agreement given under such conditions does not constitute consent."

The College Student Code definition of consent is used only for the purpose of determining responsibility for violation of College Policy or the Code of Conduct.