# Annual Security & Fire Safety Report 2012

## McNicholsCampus

University of Detroit Mercy
4001 W. McNichols Rd., Detroit, MI. 48221
! www.udmercy.edu ! 313-993-1234 !

# A MESSAGE FROM THE CHIEF

## Executive Team

Joel A. Gallihugh
Chief

Edmund Black
Captain

Cliffawn Powell
Lieutenant

## Supervision

SeanBacon
Sergeant

Nick Neamonitis
Sergeant

Garreth Boettcher
Sergeant

Melissa Webb
Corporal

Darrick Hollowell
Corporal

## Bureau Supervisors

Nick Neamonitis
Sergeant/ Investigations

Visit us at
www.udmercy.edu/publicsafety

Contact us 24/7/365

Emergency: (313) 9931234
Non-emergency: (313) 9931234
publicsafety@udmercy.edu

Build a Boundless Future

## CAMPUS RESOURCES

| | |
|---|---|
| Department of Public Safety | |
| Emergency (24hours) | (313) 993-1234 |
| Non-Emergency (24hours) | (313) 993-1234 |
| Campus Escort | (313) 993-1234 |
| Crime Prevention | (313) 993-1234 |
| Parking Holds | (313) 993-1235 |
| | |
| Environmental Safety | (313) 993-1240 |
| Human Resources | (313) 993-1036 |
| Parking & ID | (313) 993-1100 |
| Personal Counseling | (313) 993-1459 |
| | (313) 993-1170 |
| | (313) 494-6938 (Corktown Campus) |
| Residence Life | (313) 993-1230 |
| Student Affairs | (313) 993-1028 |
| Student Wellness Center | (313) 993-1562 |

## OFF-CAMPUS RESOURCES

| | |
|---|---|
| Detroit Police Department | |
| Victims Assistance | |
| Crisis Line 24Hours | (313) 833-1660 |
| | |
| Detroit Police Department | |
| Chief Neighborhood Liaison Dept. | (313) 596-2520 |
| | |
| Interim House | |
| Y.W.C.A of Metropolitan Detroit- | |
| Domestic Violence | |
| 24-Hour Crisis Line | (313) 861-5300 |
| | |
| First Step | |
| Domestic & Sexual Violence Services | |
| 24-Hour Helpline | 1 (734) 722-6800 |

Campus Emergency

Assistance Line
(313) 993-1234

Off-Campus Emergency
Assistance Line
911

Report Suspicious Activity

Important things to look for:

- xGender & Race
- xHeight & Weight
- xAge
- xHair Color & Style
- xComplexion
- xEye Color
- xClothing
- xUnusual marks
- xVehicle color & license #
- xDirection of escape

# ANNUAL SECURITY REPORT

## PURPOSE

The purpose of the Annual Security Report is to inform University of Detroit Mercy community of supportive services and resources available to protect your safety. A section of the Report will provide information on criminal activity that takes place on and around the University's campuses, which may pose a threat to your well-being. An Annual Security Report will be made available on October 1 of each calendar year to keep the University Community apprised of safety information.

## SCOPE

This policy applies to employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties.

## POLICY

A copy of the Detroit Mercy Department of Public Safety Security Report is available by following the Annual Security Report link from the Public Safety website: www.udmercy.edu/publicsafety. This report includes, at a minimum, statistics for the previous three years on reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Detroit Mercy; and on public property within or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other matters. You can obtain a copy of this report by contacting the Department of Public Safety at (313) 993-1235 during normal business hours or by accessing the following website: www.udmercy.edu/publicsafety and following the Annual Security link.

# ACCURATE & P

Corktown Campus (School of Dentistry)
Department of Public Safety
2700 Martin Luther King Jr. Blvd., Detroit 48208
Clinic Building, first floor
24-hours/7 -days

Riverfront Campus (School of Law)
Department of Public Safety
651 E. Jefferson Ave., Detroit 48226
Monday – Thursday 7:00 a.m. – 10:50 p.m.
Friday 7:00 a.m. – 5:50 p.m.
Saturday & Sunday 10:00 a.m. – 5:50 p.m.
24-hours/7 -days

Novi Campus
Department of Public Safety
41555 W. 12 Mile Rd., Novi 48377

2. Dr. Juliette C. Daniels, Ed.D.
   Assistant Dean for Student Services & Enrollment Management
   (313) 494-6850 (Corktown Campus)
3. Monica Williams
   Dean of Students
   (313) 993-1028 (McNichols Campus)
4. Sandra Alef
   Director, Residence Life
   (313) 993-1230 (McNichols Campus)

Detroit Mercy Department of Public Safety and the Detroit Police Department have a mutual agreement. Each department augments the other within its jurisdiction

# MISSING PERSON POLICY

## PURPOSE

The purpose of this policy is to establish procedures for the University's response to reports of missing persons, as required by the Higher Education Opportunity Act of 2008. This policy applies to employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties.

A Detroit Mercy residential student is "determined to be missing" when a missing person's report investigation concludes that the student has been absent from the University for a period of 24 hours or longer without any known reason. The Director of Public Safety, or designee, in conjunction with the Dean of Students, or designee, will make the official determination of whether a residential student is deemed missing.

Non-residential students, employees, contractors, consultants, temporary help, and other workers who are reported as missing to the Department of Public Safety shall be treated as missing according to the Michigan statute. The statute requires that a person be missing at least 24 hours before a missing report shall be taken by municipal agencies for persons 17 years of age and older, except in unusual circumstances or other factors which may be taken into consideration.

## SCOPE

This policy applies to students who are currently enrolled as a student and reside at the University of Detroit Mercy. This policy also applies to non-residential students, employees, contractors, consultants, temporary help, and other workers who have visited the Detroit Mercy campus.

### Residential Students

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information is maintained confidentially and will be available only to the Department of Public Safety,the Dean of Students, and the Director of Residence Life. The administration of the University reserves the right to notify the parents or legal guardian of a student under the age of 21 if s/he has been determined to be missing.

For those students under the age of 17 and not an emancipated minor, the University shall notify the emergency contact as well as the custodial parent or guardian on file no more than 24 hours after the student is determined to be missing.

## General Policy

People may be missing for a host of reasons. The Detroit Mercy Department of Public Safety will assist in determining if the reported person is missing. At the time of the concern, the Detroit Mercy Department of Public Safety shall process a report taking all foreseeable steps to locate the missing person on campus. When there is a lapse of 24 hours and a situation absent of extenuating circumstances, a person 17 years of age and older shall be reported to the police department where the missing person resides and will be subject to the laws and ordinances of that agency.

Detroit residents shall be reported to the Detroit Police Department. The reporting party is responsible for contactingthe appropriate municipal police agency for further assistance. The Detroit Mercy Department of Public Safety will, to the extent possible, facilitate the process between the reporting party and the appropriate police agency.

## Missing Minor

A report of a missing person who is under the age of 17 shall immediately be processed as a missing person report by the Department of Public Safety. If the missing minor cannot be located on the Detroit Mercy property, Detroit Mercy Public Safety shall contact the Detroit Police Department i
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# POLICY

University of Detroit Mercy Campus officers have police authority to apprehend and arrest anyone involved in illegal acts on campus during campus patrol. If minor offenses involving University rules and regulations are committed by a University student, the campus officers may also refer the individual to the Dean of Students Office for administrative review and appropriate reprimand.

Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local police. Detroit Mercy Public Safety Department will move forward with a joint investigative effort with investigators from the Detroit Police Department to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are typically conducted within the City of Detroit or Wayne County jurisdiction. Campus officers work closely with local, state, and federal police agencies.

By mutual agreement with state and federal agencies, the University Department of Public Safety has access to information maintained within the NLETS Network (National Law Enforcement Telecommunications Network) through the Detroit Police Department. Throug( N)3 0 Tw 1

## Novi Campus

# ANNUAL DISCLOSURE OF CRIME STATISTICS

## PURPOSE

In compliance with the U.S. Department of Education regulations, the University of Detroit Mercy maintains, enforces, and annually discloses to the University community crime statistics for incidents occurring on and around the University's campuses. The annual disclosure is meant to inform the University of Detroit Mercy Community of criminal activity regardless of the severity of the incident.

## SCOPE

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# POSSESSION OF ALCOHOLIC BEVERAGES

## PURPOSE

University of Detroit Mercy maintains, enforces, and discloses policies on alcoholic beverage consumption on University campuses.

## SCOPE

This policy applies to employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties.

## POLICY

The possession, sale, or furnishing of alcohol on the University campuses is governed by Detroit Mercy Alcohol Policy, the City of Detroit Ordinance, and Michigan State law. Laws regarding the possession, sale,

## SCOPE

This policy applies to employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties.

## POLICY

For the purpose of this Policy, the term “drug” includes:

1. Controlled substances, as defined in 21 USC 802, which cannot be legally obtained
2. Legally obtainable controlled substances which were not legally obtained, including:
    - Prescribed drugs when prescription is no longer valid (e.g., use of medication after a course of treatment is completed)
    - Prescribed drugs used contrary to the prescription
    - Prescribed drugs issued to another person.

All members of the University community also are governed by laws, regulations and ordinances established by the state and local municipalities, and will be held accountable by law enforcement representatives of those entities for any illegal activity. It is the responsibility of all campus members to be aware of these laws.

Michigan law prohibits the dispensing, selling or supplying of drugs. Employees, students, faculty and campus visitors may not unlawfully manufacture, consume, possess, sell, distribute, transfer or be under the influence of illicit drugs or controlled substances on University property, while driving a University vehicle or while otherwise engaged in University business. University property, as defined in this Policy, includes all buildings and land owned, leased, or used by the University, and motor vehicles operated by employees, including personal motor vehicles, when used in connection with work performed for or on behalf of the University.

Any person taking prescription drugs or over-the-counter medication is personally responsible for ensuring that while taking such drugs or medications, he or she is not a safety risk to themselves and others while on University property, while driving a University or privately-owned vehicle, or while otherwise engaged in University business. It is illegal to misuse prescription medication, i.e., continue to use medication when the prescription is no longer valid, use prescribed drugs contrary to the prescription, and give or sell prescribed drugs to another person. Misusing prescription drugs can result in a conviction with jail time.

The University of Detroit Mercy uses evidence-based strategic interventions, collaboration, innovation, and the incorporation of the wellness dimensions to reduce harmful consequences of alcohol and other drug use.

- Providing education and awareness activities.
- Offering substance-free social and extracurricular options.
- Creating a health-promoting normative environment.
- Restricting the marketing and promotion of alcohol and other drugs.
- Limiting availability of alcohol and other drugs.
- Developing and enforcing campus policies and enforce laws to address high-risk and illegal alcohol and other drug use.
- Providing early intervention and referral for treatment.
- Parental Notification

The Family Education Rights and Privacy Act (FERPA) govern the release of and access to student

disciplinary actions. Students needing help dealing with substance abuse problems are encouraged to consult the Dean of Students for referral to the appropriate office and/or agency.

## Wellness Center

The Detroit Mercy Wellness Center employs nationally certified Nurse Practitioners that work in conjunction with a Physician from Henry Ford Medical System. The Wellness Center is a service available to Detroit Mercy students that can assist with a number of health-related concerns. The Detroit Mercy Wellness Center is located on the McNichols Campus in West Quad, Room 104. To schedule an appointment, call the Detroit Mercy Wellness Center at (313) 993-1562 or email personalcounselingwc@udmercy.edu.

McNichols Campus
Detroit Mercy Wellness Center
For appointments (313) 993-1562
4001 W. McNichols Road, Detroit 48221
(www.udmercy.edu/about/location.php)

## Personal Counseling Services

The University of Detroit Mercy offers time-limited individual, group, and family counseling to Detroit Mercy students. Individual and family counseling involves 50-minute sessions with a 15-session limit.

At the time of the initial session the student can talk confidentially about what is most on his/her mind and together the counselor and student will identify problems and set realistic goals for therapy. Some students may have special needs which would require a referral to a clinic or another therapist.

The counseling office serves as a resource for faculty and staff who may want to discuss a distressed student's behavior or explore ways to approach a student to make a referral. Faculty and staff who are not eligible for counseling services may take advantage of referral sources to private practice clinicians.

To schedule an appointment for personal counseling call or email

McNichols Campus
Detroit Mercy Personal Counseling Services
(313) 993-1562
personalcounselingwc@udmercy.edu

Corktown Campus (School of Dentistry)
Detroit Mercy Personal Counseling Services
Corktown Campus Wellness Center Room 425

Bailey Andersen, Director of Student Health, and Wellness
(313) 494-6938
anderstb@udmercy.edu

### Local, State, and Federal Laws Governing Alcohol

The State of Michigan sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, is available by contacting the Department of Public Safety at www.udmercy.edu/publicsafety or local city districts.

### Additional Resources

The Detroit Mercy Department of Public Safety does not update or edit these sites but provides them as an additional resource. The following links to the Michigan State Police website and articles:

Michigan State Police Home Page
http://www.michigan.gov/msp

Impaired Driving Law

https://www.michigan.gov/msp/divisions/ohsp/safety-programs/impaired-driving/impaired-driving-law

A violation of any law regarding alcohol or illicit drug use is also a violation of the University's Student Code of Conduct and will be treated as a separate matter by the University.

# SECURITY AWARENESS PROGRAM

## PURPOSE

University of Detroit Mercy discloses to the University Community how they will be advised of security awareness programs that take place on University campuses. The Detroit Mercy Department of Public safety is committed to hosting security awareness programs throughout the academic year.

## SCOPE

This policy applies to employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties.

## POLICY

Throughout the school term, students are informed of services offered by the Department of Public Safety. Students are told about crime on campus and in surrounding neighborhoods. Similar information is presented to new employees and to the parents of newly enrolled students during parent orientation sessions held throughout the school term. Crime Prevention Programs and Sexual Assault Prevention Programs are offered on a continual basis.

Periodically during the academic year, the Detroit Mercy Department of Public Safety, in cooperation with other local law enforcement agencies, university organizations and departments, present crime prevention awareness sessions:

- Sexual assault (rape and acquaintance rape)

- Physical abuse
- Theft
- Vandalism
- Personal Safety
- Residence Hall Security

Detroit Mercy Department of Public Safety has identified several agencies that offer educational programs to identify techniques to avoid sexual assault and date rape. Information on these agencies is located on the Department of Public Safety website www.udmercy.eduEa6mt24y18 Td [(p)-2 (r)6 (o)3 (g)r21i

will be offered throughout the Fall and Winter semesters to recommend safe practices to the University Community.

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. Detroit Mercy Department of Public Safety facilitates programs for students, parents, faculty, new employee orientations, student organizations, and community organizations. In addition, Detroit Mercy Department of Public Safety participates in annual training programs for Resident Advisers and residents providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.
Tip: To enhance personal safety, program Public Safety into a one

- Political belief or affiliation
- Pregnancy or related conditions
- Race
- Religion
- Sex
- Veteran or military status (including disabled veteran, recently separated veteran, active-duty, wartime, or campaign badge veteran, and Armed Forces Service Medal veteran)
- or any other protected characteristic under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process within the institution, with the Equal Employment Opportunity Commission, and/or other human/civil rights agency.

This Policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the University of Detroit Mercy community whose acts deny, deprive, unreasonably interfere with or limit the education or employment, and/or social access, benefits, and/or

The University has also appointed a Nondiscrimination Team, which includes Human Resources professionals as well as Deputy Title IX Coordinators, to assist in coordinating the University's compliance with federal, state, and local civil rights laws and ordinances. Appendix B lists the Nondiscrimination Team.

Collectively, these individuals are responsible for providing comprehensive nondiscrimination education and training; coordinating the University's timely, thorough, and fair response, investigation, and resolution of all alleged prohibited conduct under this Policy; and monitoring the effectiveness of this

## Jurisdiction

This Policy applies to the University of Detroit Mercy's education programs and activities (defined as including locations, events, or circumstances in which the Recipient exercises substantial control over both the Respondent and the context in which the conduct occurred), circumstances where the University has disciplinary authority, and to misconduct occurring within any building owned or controlled by a University-recognized student organization.

will act to ensure as minimal an academic/occupational impact on the Parties as possible. The University will implement measures in a way that does not unreasonably burden any party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student employees
- Safety planning
- Providing campus safety escorts
- Implementing contact limitations (no contact orders) between the Parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass or Persona Non Grata (PNG) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders or other restrictions may be referred to appropriate student or employee conduct processes for enforcement or added as collateral misconduct allegations to an ongoing Complaint under this Policy.

The Parties are provided with a timely opportunity to seek modification or reversal of the University's decision to provide, deny, modify, or terminate supportive measures applicable to them. A request to do so should be made in writing to the Director. An impartial employee other than the employee who implemented the supportive measures, who has authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the definition of supportive measures in § 106.2 of the federal Title IX Regulations.

## Prohibited Conduct

- x is subjectively and objectively offensive, and
- x is so severe or pervasive,
- x that it limits or denies a person's ability to participate in or benefit from the University's education program or activity

Sex

b. Sodomy
    - Oral or anal penetration
    - Of the Complainant by the Respondent
    - without the consent of the Complainant,
    -

assistant and student, coach and athlete, preceptor and student, staff and student, and the individuals who supervise the day-to-

circumstances, such as pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, where the University may need to initiate a resolution process. If a Complainant does not wish to file a Complaint, the University will maintain the privacy of information to the extent possible.

## Mandated Reporting and Confidential Employees

All University of Detroit Mercy faculty and employees, other than those deemed Confidential Employees, are Mandated Reporters and are expected to promptly report all known details of actual or suspected sex discrimination, sex-based harassment, and/or retaliation to appropriate officials immediately, although there are some limited exceptions. Supportive measures may be offered as the result of such disclosures without formal University action.

The following sections describe the University of Detroit Mercy reporting options for a Complainant or third party (including parents/guardians when appropriate):

### Confidential Employees

To enable Complainants to access support and resources without filing a Complaint, the University has designatedspecific employees as Confidential Resources. Those designated by the University as Confidential Resources are not required to report actual or suspected discrimination, harassment, or retaliation in a way that identifies the Parties. They will, however, provide the Complainant with the Title IX Coordinator's contact information and offer options and resources without any obligation to inform an outside agency or University official unless a Complainant has requested the information be shared.

There are three categories of Confidential Employees: 1) Those with confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and counselors; 2) Those whom University of Detroit Mercy has specifically designate

Failure of a Mandated Reporter, as described above in this section, to report an incident of discrimination, harassment, or retaliation of which they become aware is a violation of University of Detroit Mercy Policy and can be subject to disciplinary actio for failure to comply/failure to report. This also includes situations when a harasser is a Mandated Reporter. Such individuals are obligated to report their own misconduct, and failure to do so is a chargeable offense under this Policy.

A Mandated Reporter who is themselves a target of harassment or other misconduct under this Policy is not requir.3 (g)-5 7s (er)12.8 ( m)7 (mb)4.50-1.4 n99aq0m-3.7 (.9 (-0.6 (1)(li)7.3 (0.6 (r)1.8 ( m)7  x.4 r)12.8 (. )-0.7/

Additionally, witnesses and Parties who knowingly provide false evidence, tamper with or destroy

- Seeking medical treatment can be essential, even if it is not for the purposes of collecting forensic evidence.

## Stalking/Dating Violence/Domestic Violence/Sex-Based Harassment

- Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number.
  - Make a secondary recording of any voice messages and/or save the audio files to a cloud server.
  - Take screenshots and/or a video recording of any text messages or other electronic messages.
- Save copies of email and social media correspondence, including notifications related to account access alerts.
- Take timestamped photographs of any physical evidence, including notes, gifts, etc., in place when possible.
- Save copies of any messages, including those showing any request for no further contact.
- Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

## Federal Statistical Reporting Obligations

Certain institutional officials (those deemed Campus Security Authorities) have a duty to report the following for federal statistical reporting purposes (Clery Act):

will contact the Complainant to offer supportive measures, provide information regarding resolution options, and determine how they wish to proceed.

## Collateral Misconduct

Collateral misconduct is defined to include potential violations of other University of Detroit Mercy policies not incorporated into the Nondiscrimination Policy that occur in conjunction with alleged violations of the Policy, or that arise through the course of th

Resolution proceedings are confidential. All individuals present at any time during the Resolution Process are expected to maintain the confidentiality of the proceedings in accordance with University of Detroit Mercy Policy.

### Alternative Resolution

be assigned, and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Director, concerns should be raised with the Provost and Vice President for Academic Affairs.

## Interview Recording

meetings, with a Party or witness, subject to the procedures for evaluating and limiting questions discussed below; and

- Provide each Party with an audio or audiovisual recording or transcript with enough time for the Party to have a reasonable opportunity to propose follow-up questions.

The Decision-maker will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the Party or witness being questioned will not be permitted.

The Decision-maker may choose to place less or no weight upon statements by a Party or witness who refuses to respond to questions deemed relevant and not impermissible. The Decision-maker will not draw an inference about whether sex-based harassment occurred based solely on a Party's or witness's refusal to respond to such questions.

At their discretion, the Decision-maker may also meet with any Party or witness to ask additional relevant questions that will aid the Decision-maker in making their determination.
The Decision-maker's determination process typically takes approximately ten (10) business days, but this timeframe can vary based on a number of factors.

## Sanctions

Factors considered when determining sanctions and responsive actions may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the Parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as it is feasible once a determination is final, either upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

## Notice of Outcome

Within thirty (30) business days of the conclusion of the Resolution Process, the Director provides the Parties with a written outcome notification. The outcome notification will specify the finding for each

alleged Policy violation, any applicable sanctions that the University is permitted to share pursuant to state or federal law, and a rationale supporting the findings.

The notification will also detail the Parties' equal rights to appeal, the grounds for appeal, the steps to take to request an appeal, and when the determination is considered final if neither party appeals.

The Director will provide the Parties with the outcome notification simultaneously, or without significant time delay between notifications. The written outcome notification will be emailed to the Parties' University-issued email account. Once sent, the outcome notification is presumptively delivered.

## Withdrawal or Resignation Before Complaint Resolution

## Appeal of the Determination

The Director will designate a trained Appeal Decision-maker to hear the appeal. No Appeal Decision-maker(s) will have been previously involved in the Resolution Process for the Complaint, including in any supportive measure or dismissal appeal that may have been heard earlier in the process.

### Appeal Grounds

Appeals are limited to the following grounds:

1) A procedural irregularity that would change the outcome
2) New evidence that would change the outcome and that was not reasonably available at the time the determination regarding responsibility or dismissal was made
3) The Direct [(Th)2.6 (1.9 1(sp)6t ( av(x p)6.7 2 )(a)11.8 Tw3 0.6s.9 (t)16(.gat(7 2r.9 6()17.5 (s))2(sp .7 (o)3.64

## Long-Term Remedies/Other Actions

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented or Informal Resolution terms, the Director may i-3 4 o ia (entes)2 (,)-3 ( and)-3 (8e4)-3 ( o)(p)-2 widit188 0

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## APPENDIX A: DEFINITIONS

The following definitions apply to the Nondiscrimination Policy and Procedures:

- Advisor. Any person chosen by a party, or appointed by the institution, who may accompany the party to all meetings related to the Resolution Process and advise the party on that process.

- Director. The person with primary responsibility for overseeing and enforcing the Nondiscrimination Policy and Procedures. As used in these policies and procedures, the “Director” also includes their designee(s).

- Alternative Resolution. A resolution agreed to by the Parties and approved by the Director that occurs prior to a Final Determination in the Resolution Process.

- Appeal Decision-maker. The person or panel who accepts or rejects a submitted appeal request, determines whether any of the grounds for appeal are met, and directs responsive action(s), accordingly.

- Complainant. A student or employee who is alleged to have been subjected to conduct that could constitute discrimination, harassment, or retaliation under the Policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination or

- Employee. A person employed by University of Detroit Mercy, either full- or part-time, including student employees when acting within the scope of their employment.
- Final Determination. A conclusion by the standard of proof that the alleged conduct did or did not violate Policy.
- Finding. A conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a "finding of fact").
- Investigation Report. The Investigator's summary of all relevant evidence gathered during the investigation.
- Investigator. The person(s) authorized by University of Detroit Mercy to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an Investigation Report.
- Knowledge. When University of Detroit Mercy

- Student. Any person who has gained admission.
- Title IX Coordinator . The official designated by University of Detroit Mercy to ensure ultimate oversight of compliance with Title IX and the University's Title IX program. References to the Coordinator throughout the Policy may also encompass a designee of the Coordinator for specific tasks.

## APPENDIX B: NONDISCRIMINATION TEAM

The following individuals comprise University of Detroit Mercy's Nondiscrimination Team:

Human Resources

(313) 464-6966

katsiman@udmercy.edu

Revised August 9, 2024

# SEXUAL ASSAULT REGISTRATION

## PURPOSE

The University of Detroit Mercy Department of Public Safety releases to the University community web links maintained by an outside source that will enable the University community to locate information on Michigan registered sex offenders

## SCOPE

This policy applies to students, employees, contractors, consultants, temporary help and other workers at the University of Detroit Mercy, including all personnel affiliated with third parties.

## SEXUAL ASSAULT DEFINED

Sexual assault is a physical assault forced upon an individual who does not or cannot consent and involves a sexual act or an attempted sexual act with that individual. Sexual assault includes, but is not limited to sexual intercourse. Sexual assaults are acts of violence used to humiliate, dominate and overpower another person.

## POLICY

In accordance withthe Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Detroit Mercy Department of Public Safety is providing a link to the Michigan Department of State Police (MSP) Sex Offender Registry.

This Act requires sex offenders registered in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. In the State of Michigan, convicted sex offenders must register with the Sex Offender and Crimes against Minors Registry maintained by the MSP. Detroit Mercy Department of Public Safety provides for the campus community resources to obtain information concerning registered sex offenders.

MSP Public Sex Offender Registry (SOR) is available via Internet pursuant to Offenders Registration Act, MCL 28.721et seq. Registry information provided under this section shall be used for the purpose of the administration of criminal justice, screening of current or prospective employee, volunteers or otherwise for the protection of the public in general and children in particular.
Unlawful use of the information for the purpose of intimidating or harassing another is prohibited and willful violation shall be punishable through the legal system. These sites are maintained by the Michigan State Police.

Sex Offenders Links: Michigan Department of State Police Homepage:
https://www.michigan.gov/msp/services/sex_-offender-reg

Sex Offenders Registration Act 295 of 1994
http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=mcl-Act-295-of-1994&queryid=6439389&highlight

Michigan State Police Sex Offender Registry
http://www.michigan.gov/msp/0,1607,7-_123-1589_1878_24961---,00.html

# WEAPON-FREE CAMPUS

## WEAPON-FREE CAMPUS

In the interest of protecting its students, employees, and visitors from violence and to maintain campus

## WORKPLACE VIOLENCE

It is the policy of the University of Detroit Mercy to establish and maintain a safe and healthy climate

OCTOBER

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When the University of Detroit Mercy DPS Chief or Command Officers confirm there is a significant active emergency or dangerous situation impacting the BT /Art3 (u)-6 (s)2 (&9 (i9 Se)2er)6 (s2er)64 (atia(ant e (f)5

# ON CAMPUS STUDENT HOUSING

(Subset of oncampus property listed above)

| Crimes | 2021 | 2022 | 2023 |
|---|---|---|---|
| Arson | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 1 |
| Motor Vehicle Theft | 0 | 0 | 0 |
| Murder/Non -Negligent Manslaughter | 0 | 0 | 0 |
| Negligent Manslaughter | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 |
| Sex Offenses - Non Forcible[2] | 0 | 1 | 0 |

# PUBLIC PROPERTY

| Crimes | 2021 | 2022 | 2023 |
|---|---|---|---|
| Aggravated Assault | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 |
| Dating Violence | | | |

# HATE C

# HATE CRIMES

Michigan Criminal Law section 750.520a provides the following definitions for incidents of sexual assault.

a) Actor means a person accused of criminal sexual conduct.
b) Developmental disability means an impairment of general intellectual functioning or adaptive behavior that meets all of the following criteria:
    i) It originated before the person became 18 years of age.
    ii) It has continued since its origination or can be expected to continue indefinitely.
    iii) It constitutes a substantial burden to the impaired person's ability to perform in society.
    iv) It is attributable to 1 or more of the following:
        (1) Intellectual disability, cerebral palsy, epilepsy, or autism.
        (2) Any other condition of a person that produces a similar impairment or requires treatment and services similar to those required for a person described in this subdivision.
c) Electronic monitoring means that term as defined in section 85 of the corrections code of 1953, 1953 PA 232, MCL 791.285.
d) Intellectual disability means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.
e) Intermediate school district means a corporate body established under part 7 of the revised school code, 1976 PA 451, MCL 380.601 to 380.705.
f) Intimate parts" includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.
g) Mental health professional means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.
h) Mental illness means a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.
i) Mentally disabled means that a person has a mental illness, is intellectually disabled, or has a developmental disability.
j) Mentally incapable means that a person suffers from a mental disease or defect that renders that

k) Mentally incapacitated means that a person is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance

1) A person is guilty of criminal sexual conduct in the second degree if the person engages in sexual contact with another person and if any of the following circumstances exists:
   a) That other person is under 13 years of age.
   b) That other person is at least 13 but less than 16 years of age and any of the following:
      i) The actor is a member of the same household as the victim.
      ii) The actor is related by blood or affinity to the fourth degree to the victim.
      iii) The actor is in a position of authority over the victim and the actor used this authority to coerce the victim to submit.
      iv) The actor is a teacher, substitute teacher, or administrator of the public school, nonpublic

791.220g, who knows that the other person is under the jurisdiction of the department of corrections.

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

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

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

a) By imprisonment for not more than 15 years.

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

from which that other person receives the special education services. This subparagraph does

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

4) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has 2 or more previous convictions for assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she hasrd has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than $5,000.00, or both:
a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.
b) Section 81a, 82, 83, 84, or 86.
c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.

a)

3) The court may place an individual convicted of violating this section on probation for a term of not more than 5 years. If a term of probation is ordered, the court may, in addition to any other lawful condition of probation, order the defendant to do any of the following:
   a) Refrain from stalking any individual during the term of probation.
   b) Refrain from having any contact with the victim of the offense.
   c) Be evaluated to determine the need for psychiatric, psychological, or social counseling and if, determined appropriate by the court, to receive psychiatric, psychological, or social counseling at his or her own expense.
4) In a prosecution for a violation of this section, evidence that the defendant continued to engage in a course of conduct involving repeated unconsented contact with the victim after having been requested by the victim to discontinue the same or a different form of unconsented contact and to refrain from any further unconsented contact with the victim, gives rise to a rebuttable presumption that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
5) A criminal penalty provided for under this section may be imposed in addition to any penalty that may be imposed for any other criminal offense arising from the same conduct or for any contempt of court arising from the same conduct.

# LINKS TO THE HIGHER EDUCATION ACT OF 1965

Safety and Security related laws and regulations
Federal Register, Nov. 1, 1999 (Vol. 64, No. 210), Student Assistance General Provision; Final Rule. 34 CFR 668.41, Reporting and Disclosure of Information 34 CFR 668.46, Institutional Security Policies and Crime Statistics
https://www.govinfo.gov/content/pkg/FR -1999-11-01/html/99 -28273.htm

Federal Register, Oct. 31, 2002 (Vol. 67, No. 211), Student Assistance General Provision; Final Rule. 34 CFR 668.46, Institutional Security Policies and Crime Statistics
https://www.govinfo.gov/content/pkg/FR -2002-10-31/pdf/02-

# JEANNE CLERY ACT DEFINITIONS

As defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus crime Statistics Act:

## SEX OFFENSES-FORCIBLE

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Forcible Rape: The carnal knowledge of a person, forcibly and/or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

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

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

## SEX OFFENSES-NON FORCIBLE

Unlawful, non-forcible sexual intercourse.

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

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

## OTHER CRIME DEFINITIONS

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death, or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used

real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all

## FIRE SAFETY TIPS

- Plan Ahead!
- Never tamper with fire alarm systems.
- Know two fire escape routes from your residence.
- Read the fire safety evacuation measures provided.
- When an alarm sounds, leave the building immediately.
- Cook only where it is permitted.
- Learn student housing fire safety measures.

## FIRE SAFETY FACTS

Plan Ahead! You may have only a few minutes to get out safely once the smoke alarm sounds.

## WHEN THE ALARM SOUNDS ... GET OUT

Fire doubles in volume every 30 g

11. Small, isolatedfires should be extinguished if possible and safe. Fire extinguishers are generally located in stairwells, near entrances, or at the end of corridors.
12. Building coordinators will account for their personnel at the evacuation assembly area and report this information to the Department of Public Safety officer.
13. Personnel should remain at the Gathering Point for further instructions.
14. Emergency response personnel will direct you if it will be necessary to proceed to another location.
15. Do not return to an evacuated building until the Department of Public Safety announces all clear.

## ESPECIALLY FOR RESIDENTIAL STUDEN0.7 1 Tf0mn58.24 605w 0 0 Td(i52 c 0 Tw.52 -

# Fire Statistics for Residential Facilities—McNichols Campus (2022)

All Residential Housing is located at 4001 W. McNichols Rd., Detroit, MI 48221

| Residential Facility | Total Fires in Building | Fire Number | Cause of Fire | Number of Injuries that Required Treatment at a Medical Facility | Number of Deaths |
|---|---|---|---|---|---|

# Fire Statistics for Residential Facilities—McNichols Campus (2021)

All Residential Housing is located at 4001 W. McNichols Rd., Detroit, MI 48221

| Residential Facility | Total Fires in Building | Fire Number | Cause of Fire | Number of Injuries that Required Treatment at a Medical Facility | Number of Deaths Related to a Fire | Value of Property Damaged Caused by Fire |
|---|---|---|---|---|---|---|
| Holden Hall | 0 | 0 | 0 | 0 | 0 | 0 |
| Shiple Hall | 0 | 0 | 0 | 0 | 0 | 0 |
| North Quad | 0 | 0 | 0 | 0 | 0 | 0 |
| South Quad | 0 | 0 | 0 | 0 | 0 | 0 |

Equipment Training presentation for all student, faculty and staff. This presentation is located on DPS website. Fire safety information is available on the University Emergency Procedure Guide and located in the Detroit Mercy Emergency Response Plan. Follow this link to access fire safety information www.udmercy.edu/publicsafety/emergency_readiness or call the Department of Public Safety at (313) 993-1235 M-F between 9:00 a.m. – 5:00 p.m.

The University is committed to promoting and maintaining a healthy work and academic environment that is as close to tobacco free as practicably possible and in accordance with all federal, state and local laws. Students, employees and visitors are prohibited from using tobacco throughout all University buildings (exception University Apartments), University vehicles and outside of buildings within 25 feet of any entrance, air intake duct and/or window.

### Daily Fire Log

A daily fire log is available for review 24 hours a day on the University of Detroit Mercy DPS website at: www.udmercy.edu/publicsafety/clery/incidents/index.htm . The information in the fire log includes the nature, date, time and the value of property damage caused by a fire. The Annual Security report is available 24 hours a day on the University of Detroit Mercy Department of Public Safety website at: www.udmercy.edu/publicsafety/clery/fire/index.htm

# REPORTING A FIRE EMERGENCY

## PURPOSE

For purposes of this policy the University of Detroit Mercy Department of Public Safety discloses to the University Community how to report fire safety matters that take place on and around the University's campuses that may pose a threat to safety.

## SCOPE

This policy applies to students who reside in campus housing, non-residential students, employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties.

## POLICY

To report a fire safety matter occurring on or nearby a Detroit Mercy campus immediately contact the Detroit Mercy Department of Public Safety 24-hour communications center.

# DETROIT MERCY DEPARTMENT OF PUBLIC SAFETY
## 24-HOUR EMERGENCY LINE (313) 993-1234

You can also reach Public Safety by dialing (313) 993-1234 for non-emergencies, or by using the exterior emergency telephones located throughout campus parking lots or near some buildings.

Any suspicious activity or person observed loitering in the parking lots, inside the building or around the Residence Halls should be immediately reported to the Department of Public Safety. In addition, if you are a victim involved in a fire incident you may also report a crime to the following areas:

| | |
|---|---|
| Monica Williams, Dean of Students | (313) 993-1028 |
| Sandra Alef, Residence Life | (313) 993-1439 |

When the situation necessitates the Detroit Mercy Department of Public Safety will make a notification to the Detroit Fire Department for a response. Each department augments the other within its e

- Check your room door for heat. If hot, do not open it.
- If the door is cool, open it slowly and check the hallway for smoke.
- If the hallway is passable, immediately and swiftly leave your room.
- Close and lock your room door.
- Help others who may need assistance.
- Evacuate the areas via stairs. Do not use the elevators.
- Go to the Evacuation Areas as directed.
- Do not return to the building for any reason until the Department of Public Safety determines it is safe to do so.
- The Department of Public Safety and Office of Residence Life staff will direct you when it is safe to return to the building.

Failure to evacuate a building after an alarm or attempts to reenter a building before permission is granted will result in disciplinary action and could include criminal charges from the Department of Public Safety.

# CAMPUS EVACUATION POLICY

## PURPOSE

For purposes of this policy the University of Detroit Mercy Department of Public Safety discloses fire safety evacuation procedures to the University community for incidents that take place in University structures that pose a threat to safety.

## SCOPE

This policy applies to students who reside in campus housing, non-residential students, employees, contractors, consultants, temporary help, and other workers at the Detroit Mercy, including all personnel affiliated with third parties.

## POLICY

The first person to discover a fire or evacuation situation is responsible for immediately activating the nearest fire pull station and calling the Department of Public Safety from a safe location.

DETROIT MERCY D

- Faculty should assure that students in their class who have mobility difficulty are assisted in the evacuation, making sure these students get at least to a stairwell landing.
- All University employees are responsible to know the location of exits and be able to identify their building's evacuation route(s) in an emergency.
- Designated Building Coordinators shall ensure, to the extent practical, that the site-specific Evacuation Plan of their building is followed, and that the evacuation of the facility proceeds until emergency personnel arrive.
- Exit the building using the nearest marked exit and posted evacuation route.
- Proceed to the designated outside Gathering Point shown on the evacuation map posted in the building.
- Obey the directions of emergency response personnel or the Building Coordinator(s).
- Be alert to the presence of persons requiring evacuation assistance and assist as much as possible to get them out or to a stairwell landing.
- Notify emergency personnel immediately upon arrival of the exact location of any person(s) who may be having difficulty evacuating.
- Emergency response personnel will direct you if it will be necessary to proceed to another location.
- Do not return to an evacuated building until the Department of Public Safety announces all clear

## Residence Halls

When the fire alarm sounds, on-campus residents must evacuate to the nearest designated evacuation area and begin the fire evacuation procedures:

- Check your room door for heat. If hot, do not open it.
- If door is cool, open it slow6 (enT0 (s)-62fc,)-3 ( d)-0 0 12 1-2 (r)(e)-3 (n)-6ur (s)Tj EMC /LBody <</M
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Quad Complex

- Limited Fire suppression;trash rooms, custodial and mechanical.
- Limited fire alarm pull stations report local and to Public Safety
- Stand- alone, lithium battery-operated smoke detectors
- Performed annual testing of fire alarm system.
- Fire suppression testing.
- Annual fire extinguisher inspections.
- Fire suppression flow sensors were added to each Quad
- All required fire alarm and fire suppressioninspections and repairs have been completed.
- All required fire extinguisher inspections and repairs/replacements have been completed.

West Quad

- Stand-alone, lithium battery-operated smoke detectors in each room.
- Limited fire alarm pull stations report local and to Public Safety
- Limited fire suppression in trash rooms, custodial and mechanical
- Performed annual testing of fire alarm system.
- Fire suppression testing.
- Annual fire extinguisher inspections.
- Fire alarm upgraded in 2023
- All required fire alarm and fire suppressioninspections and repairs have been completed.
- All required fire extinguisher inspections and repairs/replacements have been completed.

South Quad

- Stand-alone, lithium battery-operated smoke detectors in each room.
- Limited fire alarm pull stations report local and to Public Safety.
- Limited fire suppression in the trash room, custodial and mechanical.
- Fire alarm system upgradedn 2021
- Performed annual testing of fire alarm system.
- Fire suppression testing.
- Annual fire extinguisher inspections.
- All required fire alarm and fire suppressioninspections and repairs have been completed.
- All required fire extinguisher inspections and repairs/replacements have been completed.

East Quad

- New National Time fire alarm, the entire building. Certified in 2020 reports to Public Safety.
- Limited fire suppression in trash rooms, custodial and mechanical.
- Performed annual testing of fire alarm system.
- Fire suppression testing.
- Annual fire extinguisher inspections.
- All required fire alarm and fire suppressioninspections and repairs have been completed.
- All required fire extinguisher inspections and repairs/replacements have been completed.

North Quad

- New National Time fire alarm, the entire building. Certified in 2018 reports to Public Safety.
- 

- Refrigerators larger than 5 cubic feet (only 1 refrigerator permitted per room)
- Sandwich makers
- Sun lamps
- Signs considered to be University, Government, or another’s property

# McNichols Campus
# Annual Security & Fire Safety Report
## Published by: Department of Public Safety
## 2024

## Detroit Mercy Department of Public Safety
## 24-Hour Communication Center
Campus Emergency (313) 993-1234 **x**Non-Emergency (313) 993-1234