ANNUAL CAMPUS SAFETY AND SECURITY REPORT

September 2020

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Purpose of this Report

This information is provided as part of Western Michigan University Homer Stryker M.D. School of Medicine's (WMed) commitment to safety and security and is in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act). This report includes statistics on specific reported crimes as well as policies and procedures that are designed to promote a safe, secure learning and working environment.

The Director of Facilities serves as the institutional Chief Safety and Security Officer. This report, including the annual crime statistics, is prepared by the Chief Safety and Security Officer and the Office of the Dean, in cooperation with local law enforcement agencies surrounding the campus and alternate sites. This report is prepared and notice of its availability is distributed annually to all students, residents, fellows, faculty, and staff by October 1. Copies are available upon request from Facilities located on the Oakland Drive Campus at 1000 Oakland Drive, Kalamazoo, MI 49008, 269.337.4225, facilities@med.wmich.edu or on the WMed website at http://med.wmich.edu/campus-safety.

The annual reporting period includes an institution's three previous calendar years. This report includes crime statistics from the 2017, 2018, and 2019 calendar years. It contains data on crimes occurring on the institution's campus, in buildings or on property it owns or controls, or on public property within, or immediately adjacent to and accessible from, the campus.

Campus Geography and Facility Access

According to the federal definition of *campus*, the institution has one campus located in downtown Kalamazoo:

W.E. Upjohn M.D. Campus located at 300 Portage Street, Kalamazoo, MI 49007. The campus includes one building which is bordered by fencing with two entrances and access is restricted to authorized access card holders only. Access is limited to students, residents, fellows, faculty, staff, and those having scheduled business with the medical school. The facility is not open to the general public and is not a site for patient care. Throughout the year, WMed may host scheduled events that are open to the public. Those dates and times are generally posted on the WMed website. Persons entering without a WMed-issued photo identification badge must sign in at the reception desk and are escorted while on property. The adjacent parking lot at Lovell and Portage Streets also requires an access card for entry. Two public parking structures were included in the campus geography (Kalamazoo Mall and Epic Center Ramps) through June 1, 2018. WMed leases spaces for staff and visitor parking in these city parking ramps that are accessible to the general public. As of June 1, 2018, only the Epic Center Ramp public parking structure is included in the campus geography.

For institutional branding purposes, WMed refers to other buildings such as WMed Health and the adjoining Linda Richards Building as the Oakland Drive Campus, however this location and others referred to as such do not meet the federal definition of a campus. WMed alternate sites or non-campus facilities and property include:

Student Parking Lot at 921 John Street, Kalamazoo, MI 49007. Vehicle access is restricted to authorized access card holders.

WMed Health and Linda Richards Building at 1000 Oakland Drive, Kalamazoo, MI 49008. WMed Health is a site for ambulatory patient care and is open to patients during weekday business hours for scheduled appointments. Access to the adjacent Linda Richards Building is restricted to authorized access card holders.

Department of Psychiatry in the Ascension Borgess North Professional Building at 1717 Shaffer Street, Kalamazoo, MI 49008. The facility is a site for ambulatory patient care and is open to patients during business hours for scheduled appointments. Hidden panic buttons connected to the Security Department are in all patient exam rooms and the reception desk.

Family Medicine Residency at the Family Health Center at 117 W. Paterson Street, Kalamazoo, MI 49008. The facility is a site for ambulatory patient care and is open to patients during business hours. Access to non-patient care areas is restricted to authorized access card holders.

Innovation Center at 4717 Campus Drive, Kalamazoo, MI 49008. The front door of the building is open to the public during business hours. After-hours access is restricted to authorized access card holders.

WMed Health at 670 Mall Drive, Portage, MI 49024. The facility is a site for ambulatory patient care and is

open to patients during business hours. After-hours access is restricted to authorized access card holders.

Family Medicine Residency – Bronson Battle Creek at 181 West Emmett Street, Battle Creek, MI 49017. As of July 1, 2019, the facility is a site for ambulatory patient care and is open to patients during business hours. After-hours access is restricted to authorized access card holders are.

Maps to the campus, facilities, and property are located on the WMed website at http://med.wmich.edu/maps-directions.

On-Campus Housing

WMed does not own or operate on-campus housing facilities and therefore is not required to publish, and does not publish, an annual fire safety report or missing student report.

CAMPUS SAFETY AND SECURITY

Campus Security Personnel

WMed does not maintain its own police or security department but contracts with a private security company that provides security guards at the W.E. Upjohn M.D. Campus and WMed Health at Oakland Drive. Security guards complete a criminal background review. Security guards are not armed, nor do they have arrest powers.

WMed maintains a positive working relationship and formal agreements with local law enforcement agencies surrounding the campus and alternate sites including the Kalamazoo Department of Public Safety, Township of Kalamazoo Police Department, Western Michigan University (WMU) Department of Public Safety, Portage Department of Public Safety, and Battle Creek City Police Department. If a major or serious crime occurs at any WMed location, the police or public safety in that jurisdiction will, once on the scene, take control of the situation.

Campus Security Authorities (CSAs)

Certain WMed employees are designated as Campus Safety Authorities (CSAs) by the institution and the U.S. Department of Education. These individuals who "have significant responsibility for student and campus activities" include:

- security personnel who are contracted as security guards;
- administrators and staff such as relevant deans, assistant deans, directors, assistant directors, managers, coordinators;
- faculty advisors for student interest groups, organizations, and international electives;
- scholar-advisors for student learning communities;
- Title IX coordinator and deputy coordinators.

The Chief Safety and Security Officer, located in the Facilities Department, is the official designated by the institution to collect crime report information. The function of a CSA is to report to the Chief Safety and Security Officer those allegations of Clery Act crimes that he or she concludes were made in good faith. The Chief Safety and Security Officer will evaluate the crime for issuance of a timely warning and include the crime in the annual Clery Act crime statistics. Identifying information of the victims and/or survivors will not be published or disclosed. Pastoral and professional counselors have state-provided confidential privilege and are not required to report crimes for inclusion in the Annual Campus Safety and Security Report. However, as a matter of policy, they are encouraged to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics. To ensure that all crimes are reported accurately and timely, WMed identifies and requires training for CSAs.

Crime Reporting and Communication

As stated in the *Safety and Security Management Plan* policy, students, residents, fellows, faculty, staff, and visitors are encouraged to report all crimes and public safety-related incidents to police, security guards, the Chief Safety and Security Officer, or a CSA, in a timely manner to ensure issuance of timely warning and prompt handling of the situation. Bystanders or witnesses are encouraged to report when a victim is unable to report.

Individuals should dial 911 or use the call button on emergency blue light poles located outside of select WMed facilities to report a crime, fire, or any other type of emergency. To report a crime, after the fact, a confidential online reporting form is on the WMed website at http://med.wmich.edu/campus-safety.

Crime Reporting Contact Information		
Location	Contact #s	Responding Law Enforcement Agency
W.E. Upjohn M.D. Campus	Emergency: 911 or Blue Light Poles KPS Public Safety: 269.337.8241 On-site Security: 269.337.4575	Kalamazoo Department of Public Safety (KPDS) Security guards are on-site 24 hours a day, seven days a week.
Student Parking Lot	Emergency: 911 or Blue Light Poles	Kalamazoo Department of Public Safety (KPDS)
Staff and Visitor Parking Ramp	Emergency: 911	Kalamazoo Department of Public Safety (KPDS)
Oakland Drive Campus (WMed Health and Linda Richards Building)	Emergency: 911 or Blue Light Poles WMU Public Safety: 269.387.5555 On-site Security: 269.337.4225	WMU Department of Public Safety The department is staffed 24 hours a day, seven days a week by officers who have full arrest powers licensed by the Michigan Council of Law Enforcement. Security guards are one-site during business days from 8 a.m. to 11 p.m.
Department of Psychiatry in the Ascension Borgess North Professional Building	Emergency: 911 Township Police: 269.343.0568 On-site Security: 269.226.8361	Kalamazoo Township Police Department (KTPD) Ascension Borgess Hospital security guards are on-site 24 hours a day, seven days a week.
Family Medicine Residency at the Family Health Center	Emergency: 911 KPS Public Safety: 269.337.8241 On-site Security: 269.488.0800 or 213 from the in-house phone system	Kalamazoo Department of Public Safety Security guards are on-site 7:30 a.m. to 9 p.m. weekdays and 9 a.m. to 1 p.m. on Saturday.
Innovation Center	Emergency: 911 KPS Public Safety: 269.337.8241	Kalamazoo Department of Public Safety (KPDS)
WMed Health – Mall Drive Portage	Emergency: 911 Portage Public Safety: 269.329.4567	Portage Department of Public Safety
Family Medicine Residency – Bronson Battle Creek	Emergency: 911 Battle Creek City Police: 269.781.0911 On-site Manager on Duty: 269.965.8866 or 1680 from the in-house phone system	Battle Creek City Police Department

Maintaining Victim Confidentiality

Persons who are victims of a crime and do not want to pursue action within WMed or the criminal justice system still may want to consider making a confidential crime report. The purpose of a confidential crime report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the victim and others. With such information, WMed can keep accurate records of the number of incidents involving students, residents, fellows, faculty or staff, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger.

Reports of crimes and emergencies are used to compile statistics for Clery Act reporting and to help determine if there is a serious or continuing threat to the safety of the campus community that requires a timely warning or emergency notification. However, those responsibilities can usually be met without disclosing personal identifying information. A report, regardless of the source, does not need to automatically result in the identification of a victim or the initiation of a police or disciplinary investigation if the victim does not want to pursue this action.

Types of Reportable Crimes

WMed is required to report occurrences of the following crimes: murder/non-negligent manslaughter, negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, stalking, dating violence, domestic violence, and hate crimes. Hate crimes are reported by the type of bias. If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the annual security report. A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the

offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of bias against the victim's race, gender, gender identity, sexual orientation, ethnicity, national origin, religion, or disability, the assault is then also classified as a hate/bias crime.

The Clery Act also requires that on-campus arrests and judicial referrals be reported for liquor law, drug abuse, and weapons violations.

Daily Crime Log

A Daily Crime Log is maintained by the Chief Safety and Security Officer. The Daily Crime Log is available for review weekdays during normal business hours by appointment in Facilities on the Oakland Drive Campus at 1000 Oakland Drive, Kalamazoo, MI 49008. Contact the Director of Facilities at 269.337.4225, facilities@med.wmich.edu. The log contains reports of all crimes reported within the past 60 days. Information for earlier periods can be obtained and will be provided within two business days of the request.

Timely Warning Notification

In the event that certain crimes or emergency situations occur that are considered to pose a serious or continuing threat to the WMed community, the Clery Act requires the institution to notify the campus community in a timely manner.

Timely warnings are issued for all Clery Act crimes that occur on the institution's Clery Act geography as defined in this report. Timely warnings may also be posted for other crime classifications as deemed appropriate by the Chief Safety and Security Officer or designee.

This determination will be made when reports come to the attention of the Chief Safety and Security Officer or designee. The institution will take into account, in the professional judgment of responsible authorities, if notification will compromise efforts to assist victims or to contain, respond to, or otherwise mitigate, the emergency.

WMed will make a timely warning notification to the campus community utilizing the emergency notification system (with email and text options), WMed email, portal, digital signage, or the available overhead announcement systems within each facility.

Emergency Notification

The institution will issue emergency notifications to the campus community (or a segment or segments of the campus community) upon confirmation of a reported significant emergency or dangerous situation involving an immediate threat to the health or safety of students, residents, fellows, faculty, staff, or visitors occurring on its campuses, on public property within or immediately adjacent to its campuses, and in or on non-campus buildings or property that it owns or controls.

The Chief Safety and Security Officer or designee is responsible for confirming the existence of a significant emergency or dangerous situation. The Chief Safety and Security Officer will, without delay, and taking into account the safety of the community, determine the content of the emergency notification and the appropriate segment(s) of the campus community to be notified 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.

Emergencies or dangerous situations may include, without limitation, armed intruder, disease outbreaks, severe weather (e.g., tornado, hurricane, etc.), gas leaks, fires, explosions and chemical or hazardous waste spills.

The Chief Safety and Security Officer regularly communicates with local police agencies requesting their cooperation in informing WMed about significant emergencies and dangerous situations reported to them that may warrant an emergency response.

Emergency notification is made utilizing the emergency notification system (with email and text options) or the available overhead announcement system within each facility. The systems are tested on a regular basis. In addition, other forms of communication may be used including WMed email, portal, or digital signage. WMed has trained staff at each facility location to serve as emergency coordinators who are prepared to assume a leadership role during emergency situations and preparedness drills. Emergency coordinators can also assist with emergency notification communication, when necessary.

Anyone with information warranting a timely warning or emergency notification should contact the Chief Safety and Security Officer via phone at 269.337.4225 or

contact a security guard, CSA, or emergency coordinator in person.

Testing of Emergency Response and Evacuation Procedures

The *Safety and Security Management Plan* policy defines the systems in place to manage the safety and security of individuals, equipment, supplies, and information within WMed facilities. The Facilities Department, under the direction of the Chief Safety and Security Officer, systematically tests emergency response and fire safety equipment and conducts regular fire evacuation and tornado drills. Annual computer-based campus and workplace safety education is required to prepare individuals for critical incidents such as response to an active shooter. Emergency coordinators in each WMed facility are trained annually to assume a leadership role during emergency situations and preparedness drills.

Maintenance and Security of Facilities

WMed maintains a strong commitment to campus safety and facility security. Exterior lighting is an important part of this commitment. Parking lots and building exteriors are well lit. Facilities Department personnel survey exterior lighting on an on-going basis. Facilities personnel regularly inspect facilities including entrance doors, turnstiles, gates, and access readers, promptly making repairs affecting safety and security and respond to reports of potential hazards. The landscape vegetation near all facilities is well-maintained and trimmed on a regular basis so as not to afford concealment.

Campus Security, Crime Prevention, and Emergency Preparedness Training

During pre-matriculation and then annually, students complete a computer-based learning module with information pertaining to campus security, emergency procedures, expectations, and crime prevention. More detailed building safety and security information is presented upon arrival to campus and annually during National Safety Month. Campus information and building safety information is available on the student portal. WMed-employed faculty and staff are required to complete an orientation process and annual computer-based learning module related to security, emergency, and disaster preparedness policies.

Facility Access Controls

The W.E. Upjohn M.D. Campus is private property. Access to WMed facilities is controlled by automated security systems with access controls and may have video surveillance.

Photo Identification Badge

WMed students, residents, fellows, faculty, and staff are issued a WMed photo identification badge that permits access to specific entry and interiors doors based on an access schedule as deemed appropriate to the role or job function. ID badges are worn at all times while in WMed facilities.

Escorts To and From Parking Areas

Security guards are available to escort students and staff to WMed parking lots and structures after dusk. Students are encouraged to walk to their cars in pairs or groups, whenever possible, and to leave buildings at reasonable hours. Security systems and security personnel do not replace the need for situational awareness and personal responsibility.

Security Escort Contact Information	
W.E. Upjohn M.D. Campus	269.337.4575
Oakland Drive Campus	269.337.4225
Department of Psychiatry in the Ascension Borgess North Professional Building	269.226.8361
Family Medicine Residency at the Family Health Center	269.488.0800
Family Medicine Residency at Bronson Battle Creek	269.965.8866
Ascension Borgess Hospital	269.226.8361
Bronson Methodist Hospital	269.341.7893

DRUG AND ALCOHOL POLICIES

WMed complies with federal, state, and local laws including those that regulate the possession, use, and sale of alcoholic beverages and controlled substances as well as the associated penalties. Such penalties, which include probation, fines, and/or imprisonment, may be imposed by judicial authorities on individuals who violate these laws, notwithstanding any penalty imposed by WMed. Students, residents, fellows, faculty, and staff are responsible for adhering to the *Alcohol and Drug Free Workplace and Campus* policy. WMed is committed to protecting the health, safety, and welfare of its students, residents, fellows, faculty, staff, and visitors. To carry out this commitment, WMed seeks to assure that a drug-free environment is maintained and that students, residents, fellows, faculty, and staff perform their duties unimpaired by the effects of alcohol, tobacco, and controlled substances.

The Medical Student and Graduate Student Policy Manuals define the expectations for student applicants.

WMed does not enroll or allow students who: abuse alcohol, as evidenced by binge drinking, public intoxication, and other signs of excessive use; use tobacco products including cigarettes, cigars, chewing tobacco, smokeless tobacco, snuff, nicotine gum, nicotine patches, e-cigarettes, and vaporizers; use controlled substances without a prescription; or have a substance dependence. All applicants who accept an offer of admission are required to undergo testing prior to matriculation for alcohol, tobacco (which screens for cigarettes, cigars, chewing tobacco, smokeless tobacco, nicotine gum, nicotine patches, e-cigarettes, and vaporizers), and controlled substances.

Drug and Alcohol Abuse Prevention Program

WMed's drug and alcohol abuse prevention program includes information about:

- Preventing drug and alcohol abuse,
- Institutional policies that prohibit use of drugs and alcohol and that WMed will impose sanctions for violations of the standards of conduct,
- Legal sanctions for unlawful possession, use or distribution of illicit drugs and alcohol,
- Available resources for drug and alcohol counseling, treatment, or rehabilitation programs,
- Description of the health risks associated with use of illicit drugs and alcohol.

Annually, students, residents, fellows, faculty, and staff receive information about drug and alcohol abuse prevention through completion of a required computer-based learning module and distribution of printed materials. The curriculum in the MD degree program includes specific learning objectives related to drug and alcohol abuse prevention. Information is also available on the WMed website at http://med.wmich.edu/alcohol-drug-abuse-prevention.

Drug and Alcohol Abuse Health Risks and Medical Consequences

High risk alcohol and illegal drug use can cause serious problems. Illegal drug use includes the use of illicit drugs, as well as misuse of prescription drugs. Combining alcohol and drugs can greatly increase health risks.

Major health risks of alcohol and drug abuse include acute and chronic illness, psychological and emotional impairment, addiction, and death. Other health risks include short-term memory problems, learning impairments, sleep disruption, immune compromise, and mood swings. Side effects such as impaired judgment, slowed response time, mental confusion, and decreased motor coordination can lead to accidents, motor vehicle crashes, and injuries.

Abuse of alcohol and illegal drugs presents significant short-term and long-term health risks and medical consequences:

Marijuana use causes short-term memory problems and slowed reaction time. It can also cause anxiety, depression, paranoia, and a distorted sense of time. Residual effects, such as sleep interference, can last for days. With long-term heavy use, there is a significant risk of developing a psychological addiction, making it difficult to stop using marijuana.

Alcohol abuse can result in liver damage and disease, gastrointestinal problems, cardiovascular disease, and brain damage.

Club drugs (MDMA, GHB, Rohypnol, ketamine, etc.) can cause serious health problems and, in some cases, death. Because some club drugs are colorless, tasteless, and odorless, they can be added to beverages to sedate or intoxicate, with the intent to facilitate sexual assaults.

The use of cocaine, amphetamines, Adderall®, and other stimulants can cause irritability, mood disorders, acute and/or chronic anxiety, elevated blood pressure, and cardiac arrest, particularly in those with preexisting heart conditions. Long-term use of some stimulants may cause permanent damage to the brain, heart, lungs, and other organs.

Depressants (alcohol, narcotics, prescription pain-killers, anti-anxiety medications, etc.) can greatly increase the risk of accidents and automobile crashes because they affect vision, depth perception, coordination, and other physical skills. Psychological side effects include poor concentration and impaired judgment. Driving under the influence of legal medication may result in a DUI violation.

Long-term or heavy use of depressants can lead to a profound physical addiction, requiring medically monitored detoxification in order to discontinue use safely. Individuals who are physically addicted to depressants can experience serious medical complications when attempting to discontinue use, including seizures, hallucinations, stroke, and even death.

Almost all drugs, with the exception of marijuana, carry the potential risk for drug overdose.

Chronic, high-risk use of alcohol and drugs can also have psychological and social consequences, including loss of intimacy and significant relationships, academic/work impairment, estrangement from family and other social support, inability to meet responsibilities and obligations, and significant legal issues.

Suspension of Eligibility for Financial Aid for Drug-Related Offenses

Federal law provides that a student who has been convicted of an offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance during the period beginning on the date of such conviction and ending after the interval specified in the following table. If convicted of an offense involving:

Possession of a Controlled Substance	Ineligibility Period
First offense	1 year
Second offense	2 years
Third offense	Indefinite
Sale of a Controlled Substance	**Ineligibility Period**
First offense	2 years
Second offense	Indefinite

A student whose eligibility has been suspended based on a conviction for possession or sale of a controlled substance may resume eligibility before the end of the ineligibility period if:

a. the student satisfactorily completes a drug rehabilitation program that
   i. complies with the criteria prescribed in the federal regulations; and
   ii. includes two unannounced drug tests;
b. the student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with the criteria prescribed in the federal regulations; or
c. the conviction is reversed, set aside, or otherwise rendered nugatory.

DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING

Institutional Policy

WMed strives to cultivate a healthy and diverse community that recognizes the value of each individual and helps foster safety, civility, and respect for all people. The institutional policy *Sexual and Gender-Based Harassment and Violence, Intimate Partner Violence, and Stalking* prohibits sexual or gender-based, discrimination, harassment, violence, intimate partner violence, and stalking by any member of the WMed community. This policy further defines prohibited conduct and related definitions, and outlines the procedures followed when one of these crimes is reported.

Consent: Consent consists of an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. Participants must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

Prevention, Education, and Awareness Programs

WMed is committed to the prevention of sexual and gender-based harassment and violence, intimate partner violence, and stalking through education and awareness programs. Throughout the year, WMed offers educational programs to promote awareness of sexual and gender-based harassment and violence, intimate partner violence, and stalking. The WMed Title IX Coordinator oversees the education and prevention calendar and tailors programming to campus needs and climate.

Prevention programs include an overview of institutional policies and procedures, relevant definitions, including prohibited conduct, the impact of alcohol and drug use, effective consent, safe and positive options for bystander intervention, and information about risk reduction. Educational programs include a review of the resources and reporting options available. Information is also available on the WMed website at http://med.wmich.edu/title-ix.

New students, residents, fellows, faculty, and staff receive primary prevention and awareness programming as part of their orientation. Annually during the month of April for the entire WMed community, awareness and educational activities are offered during national Sexual Assault Awareness Month including electronic distribution of the institutional policy, brochures and reference materials, as well as optional in-person events and information sessions.

Additionally, WMed's Title IX Coordinator, investigators, decision-makers, and any individual who facilitates an informal resolution process receives training on the policy, how to conduct an investigation, and the entire formal investigation process including hearings, appeals, and any informal resolution processes. Training ensures employees know how to serve impartially, including avoiding prejudgment of the facts at issue, relevancy, conflicts of interest, and bias.

Reporting Options and Retaliation

All individuals and bystanders are encouraged to promptly report conduct that may violate the *Sexual and Gender-Based Harassment and Violence, Intimate Partner Violence, and Stalking* policy. In addition, all individuals are encouraged to report conduct that may also violate criminal law to both WMed and to local law enforcement. These processes are not mutually exclusive. Any student, resident, fellows, faculty, staff, or third-party bystander who seeks to make a complaint or report may:

- Make an internal complaint/report to the Title IX Coordinator Shayne McGuire at 269.337.4408; Title IX Deputy Coordinators Erin Dafoe at 269.337.6159, Erin Cook at 269.337.6446, or Brooke Kolodzieczyk at 269.337.4479.
- Contact the Chief Safety and Security Officer at 269.337.4225 for assistance in filing a criminal complaint and preserving physical evidence; and/or
- Contact local law enforcement to file a criminal complaint.

Complainants may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue an internal complaint and a criminal complaint). When initiating any of the above, complainants need not know whether they wish to request any particular course of action, nor how to label what happened.

Choosing to make a complaint, and deciding how to proceed after making the complaint, can be a process that unfolds over time. Before or during this decision-making process, complainants and other reporting persons are encouraged to seek support and information from a confidential resource. WMed prohibits retaliation against any person or group who makes a good faith complaint, cooperates with an investigation, or participates in a grievance or related processes.

Coordination with Law Enforcement

WMed encourages complainants and respondents to pursue their rights under Michigan law regarding claims of prohibited conduct that may also violate state law. WMed will offer assistance to involved parties by directing them to law enforcement agencies regarding criminal reports and cooperating with law enforcement agencies. A complainant has the right to notify, or decline to notify, law enforcement. In the context of sexual assault, intimate partner violence and stalking federal law mandates that it is an adult complainant's option to notify or decline to notify law enforcement.

WMed's policy, definitions and burden of proof may differ from Michigan criminal law. The parties involved may seek recourse under this policy and/or pursue their rights under Michigan law. Neither law enforcement's determination whether or not to prosecute a respondent, nor the outcome of any criminal prosecution, are determinative of whether a violation has occurred. Proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

At the request of law enforcement, WMed may agree to defer its Title IX fact gathering until after the initial stages of a criminal investigation. WMed will nevertheless communicate with the Complainant regarding Title IX rights, procedural options, and the implementation of interim measures to assure safety and well-being. WMed will promptly resume its Title IX fact gathering as soon as it is informed that law enforcement has completed its initial investigation.

Interim and Supportive Measures

Upon receipt of a report, WMed will offer to impose reasonably available interim or supportive measures designed to protect the parties involved. The provision of these measures may be imposed at any time regardless of whether any disciplinary action is sought

by the complainant or WMed. Interim or supportive measures will be kept private to the extent that maintaining that privacy does not impair the ability of WMed to provide the measures.

Interim and supportive measures are initiated based on information gathered in a report and are not intended to be permanent resolutions; hence, they may be amended or withdrawn as additional information is gathered. The Title IX Coordinator/investigator, in consultation with other administrators, will maintain consistent contact with the parties so that all safety, emotional, and physical wellbeing concerns can be reasonably addressed. The Title IX Coordinator will promptly contact the Complainant to discuss the availability of interim or supportive measures, consider the Complainant's wishes, and discuss the process of filing a formal complaint and initiating a formal investigations with the Complainant at that time.

Specific interim or supportive measures implemented and the process for implementing those measures will vary depending on the facts of each case. However, all measures shall be non-disciplinary, non-punitive, and free of any charge. Measures are designed to restore and preserve equal access to WMed's programs and activities without unreasonably burdening any party. WMed will consider the following factors in determining what interim or supportive measure to take, including, for example, the specific needs expressed by the complainant; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the complainant; whether the complainant and respondent share the same residence, class, transportation, or job location; and whether other judicial measures have been taken to protect the complainant (*e.g.,* civil protection orders). Interim measures will be imposed in a way that minimizes the burden on the complainant to the extent possible while still balancing the rights of the respondent.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. WMed will take immediate and responsive action to enforce a previously implemented measure.

Interim measures will be implemented at the discretion of WMed. Potential remedies, which may be applied to the complainant and/or the respondent, include:

- Imposition of a mutual "No Contact" order
- Change in class schedule, extensions, including the ability to take an "incomplete," drop a course without penalty or transfer sections (with the agreement of the appropriate faculty)
- Change in work schedule, job assignment or location
- Providing academic support services, such as tutoring
- Interim suspension or WMed-imposed leave
- Counseling
- Campus escort services or other security
- Any other remedy that can be tailored to the involved individuals.

No Contact Order

A campus no-contact order is issued by a WMed official and requires that an individual have no contact with another particular person or persons. Contact is considered any verbal, written, electronic, non-verbal gesture, third party messages, indirect loud talking in the vicinity of the person and could include indirect actions that appear to WMed to be intimidating. WMed may add to the terms of no contact within the context of the reported incident that preceded the order or concerns that have arisen during the investigation or conduct process. The determination to impose a no-contact order will be made on a case-by-case basis and will take into account the request of the Complainant. All no-contact orders shall be mutual in nature.

Interim Suspension or Separation

Where the report of prohibited conduct poses a substantial and immediate threat of harm to the safety or well-being of an individual, members of the campus community, or the performance of normal WMed functions, WMed may place a student or student organization on interim suspension or impose leave for an employee. Pending resolution of the report, the individual or organization may be denied access to campus, campus facilities and/or all other WMed activities or privileges for which the individual might otherwise be eligible, as WMed determines appropriate. When interim suspension or leave is imposed, WMed will make reasonable efforts to complete the investigation and resolution within an expedited time frame. An individual that is suspended or removed shall have an opportunity to challenge this determination.

Protecting Confidentiality of Victims

The Title IX Coordinator will receive the anonymous report and determine any appropriate steps in light of the available information. Depending on the level of information available about the incident or the individuals involved, anonymous reporting may impact WMed's ability to respond or take further action. Where there is sufficient information, WMed will ensure that anonymous reports are reviewed and included for compliance with the Clery Act.

WMed is committed to protecting the privacy of all individuals involved in a report of sexual and gender-based harassment and violence, intimate partner violence, and stalking. All WMed employees who are involved in WMed Title IX response, including the Title IX Coordinator, investigators, and sanction panel members, receive specific instruction about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the report.

Privacy and confidentiality have distinct meanings under WMed policy. Privacy generally means that information related to a report of misconduct will only be shared with a small circle of individuals. The use of this information is limited to those WMed employees who are directly involved in the resolution of a report under this policy. While not bound by legally-privileged confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

Confidentiality means that information shared by an individual with designated campus or community professional *cannot* be revealed to any other individual without express permission of the individual. Those campus and community professionals who can hold legally-privileged conversations recognized by law include medical providers, mental health providers, ordained clergy/pastoral counselors and rape crisis counselors. These individuals are prohibited from breaking confidentiality without express permission of the individual seeking services, unless there is an imminent threat of harm to self or others, or the conduct involves suspected abuse of a minor. When a report involves suspected abuse of a minor under the age of 18, these confidential resources are required by state law to notify child protective services and/or local law enforcement.

Counseling Services

Employee Assistance Program

The Employee Assistance Program (EAP) offers a wide range of services that are available to students, residents, fellows, faculty, staff and their household members at no cost. This includes assistance with family, alcohol, drugs, emotions, stress, and legal or financial questions. This is a confidential service that is available 24 hours a day, seven days a week. Individuals can access EAP services by calling 866.695.6327 or by logging on to www.worklifehealth.com/MLAEAP and entering the organization name, WMED. Information about EAP is provided to students at matriculation and staff upon employment. For questions or assistance contact the Office of Student Affairs at 269.337.6111 or the Human Resources Department at 269.337.4478.

Private Practice Counselors

WMed contracts with private practice counselors in the community to provide counseling and mental health services to students. The staff in these clinics is not involved in the education of students, eliminating conflicts of interest that could arise in the assessment of academic performance such as advancement of medical students. Child & Family Psychological Services, PC, is a local counseling service that has a staff of more than 30 counselors in two separate locations in the Kalamazoo/Portage area. They may be contacted at:

Child & Family Psychological Services, PC
5340 Holiday Terrace
Kalamazoo, MI 49009
269.372.4140

1662 East Centre Avenue
Portage, MI 49002
269.321.8564
www.childandfamilypsych.com

For emergency behavioral crises or when Child & Family Psychological Services, PC is closed, students may access community services by using the 24-hour community 2-1-1 Helpline. The 2-1-1 service is supported in Kalamazoo by Gryphon Place, which is a local organization providing emergency behavioral support. If needed, access to inpatient psychiatric care is available in a confidential manner via crisis screening services provided by Pine Rest Inpatient Services in Grand Rapids, Michigan. By avoiding hospital admission at one of the Kalamazoo teaching

hospitals, students will not be treated by a physician involved with the institution. After referral and by calling a toll-free number, a student (or their counselor) can discuss the appropriateness of inpatient management of their psychological emergency with a licensed social worker. If at any time a hospital admission is necessary and there are no beds available, the student will be sent to Forest View Psychiatric Hospital in Grand Rapids. Both locations provide excellent care and assure confidentiality for the student.

Sexual Assault Support Resources

Ascension Borgess Hospital
1521 Gull Road, Kalamazoo, MI
269.226.4815 Emergency Department.
24-hour emergency care; forensic rape evidence exam; other necessary treatment. Fee for service.

Bronson Methodist Hospital
601 John Street, Kalamazoo, MI
269.341.6386 Emergency Department.
24-hour emergency care; forensic rape evidence exam; other necessary treatment. Fee for service.

YWCA Sexual Assault Nurse Examiner Program
353 E. Michigan Avenue, Kalamazoo, MI
269.385.3587
Must telephone before arrival to access; service available 24/7. Forensic rape evidence exam; other necessary treatment; emotional support. Not appropriate for physical injury. Free of charge.

YWCA Sexual Assault Program
353 East Michigan Avenue, Kalamazoo, MI
269.385.2869 office; 269.385.3587 24-hour crisis line
24-hour on-site support and assistance to victims and family/friends at hospital or police station; support and assistance to victims during all phases of prosecution; Free of charge.

Victim Assistance Unit
Kalamazoo Prosecuting Attorney's Office
227 W. Michigan Avenue, Kalamazoo, MI
269.383.8677
Assistance to crime victims involved in a court case; assistance in filing Crime Victim's Compensation claim, which may compensate a victim for expenses related to medical and counseling services or lost wages.

WMed Support Services

The Office of Student Affairs at 269.337.6111 is available to provide student support for academic and personal issues. The Office of Financial Aid at 269.337.6107 will assist students with financial aid related issues. The Human Resources Department at 269.337.4408 will assist employees with employment issues.

Title IX Assessment

When a report is made, the Title IX Coordinator or designee (which may be a Deputy Title IX Coordinator) will conduct an initial Title IX assessment. The goal of this assessment is to provide an integrated and coordinated response to reports of sexual and gender-based harassment and violence, intimate partner violence, and stalking. The assessment will consider the nature of the report, the safety of the individual and of the campus community, the complainant's expressed preference for resolution, and the necessity for any interim measures, remedies or accommodations to protect the safety of the complainant or the community, and the appropriate considerations for the respondent In the course of this assessment, WMed will consider the interest of the Complainant and the Complainant's expressed preference for manner of resolution. As outlined in Section 8A of GEN10 (Complainant Agency and Autonomy Not to Proceed), where possible and as warranted by an assessment of the facts and circumstances, WMed will seek action consistent with the Complainant's request. As part of the initial assessment of the facts, WMed will:

- Assess the nature and scope of alleged conduct and circumstances of the report;
- Address immediate physical safety and emotional well-being;
- Notify the Complainant of the right to contact or decline to contact law enforcement if the conduct is criminal in nature, and if requested, assist the complainant with notifying law enforcement;
- Notify the Complainant of the availability of medical treatment to address physical and mental health concerns and to preserve evidence;
- Notify the Complainant of the importance of preservation of evidence;
- Assess the reported conduct for any necessary actions under Clery, including inclusion in the daily crime log, annual security report, or issuance of a timely warning;
- Provide the Complainant and Respondent, if notified, with information in writing about: on and off-campus resources, the range of interim accommodations and

remedies, and an explanation of the procedural options;
- Inform the Complainant and Respondent that if the allegations involve conduct that could constitute a crime each may have an advisor of their choosing, which may include an attorney (at their own expense), colleague, or other person they identify, unless the advisor is a witness in the investigation; as noted above, the role of the advisor is to support the complainant or respondent, not to speak on behalf of or for them during any part of the process;
- Assess for pattern evidence or other similar conduct by respondent;
- Discuss the Complainant's expressed preference for manner of resolution and any barriers to proceeding; and
- Explain WMed policy prohibiting retaliation.

The initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made, and WMed has sufficient information to determine the best course of action.

Victim's Rights

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, WMed will provide the student or employee a written explanation of the student's or employee's rights and options.

Resolution Options and Procedures

Any individual who reports sexual or gender-based harassment or violence, intimate partner violence or stalking can be assured that all reports will be investigated and resolved in a fair and impartial manner. All individuals involved can expect to be treated with dignity and respect. In every report, WMed will make an immediate assessment of any risk of harm to the complainant or to the broader campus community and will take steps necessary to address those risks. These steps will include interim or supportive measures to provide for the safety of the individual and the campus community.

Timeliness and Location of Incident

All individuals are encouraged to report sexual and gender-based harassment and violence, intimate partner violence, and stalking as soon as possible in order to maximize the ability to respond promptly and effectively. WMed does not, however, limit the time frame for reporting. If the respondent is not a member of the WMed community at the time of the report, or leaves the WMed community, WMed will still seek to meet its Title IX obligations by providing reasonably available support for a complainant, but its ability to investigate and/or take action may be limited. WMed will, however, assist a complainant in identifying external reporting options. An incident does not have to occur on campus to be reported to WMed.

Formal Investigation

WMed will designate an investigator(s) of its choosing. The investigator will typically be the Title IX Coordinator, a Deputy Title IX Coordinator, or a member of the Human Resources Department designated by the Title IX Coordinator, although the investigator may be any appropriately designated employee of WMed or an external investigator engaged to assist WMed in its fact gathering. Any investigator chosen to conduct the investigation must be impartial and free of any actual conflict of interest and must have specific training and experience investigating allegations of sexual and gender-based harassment or violence in accordance with this policy and as required under state and federal law and regulation.

The investigation will be equitable, thorough, impartial, and fair, and all individuals will be treated with sensitivity and respect. The investigation will be conducted in a manner that is respectful of individual privacy concerns. All parties and witnesses are expected to provide truthful information. Knowingly providing false or misleading information is a violation of WMed policy and can subject a party or witness to disciplinary action. The investigator or designee will provide timely updates, as appropriate or requested, about the timing and status of the investigation.

It is the responsibility of WMed, not the parties, to gather relevant evidence, to the extent reasonably possible. The parties will be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations, including evidence that WMed does not intend to rely on in reaching a determination. The investigator will conduct the investigation in a manner appropriate in light of the circumstances of the case. The investigator will coordinate the gathering of information from the

Complainant, the Respondent, and any other individuals who may have information relevant to the determination. The investigator will also gather any available physical evidence, including documents, communications between the parties, and other electronic records as appropriate. The Complainant and Respondent will have an equal opportunity to be heard, to submit information, to ask questions, and to identify witnesses who may have relevant information.

Specifically, upon receipt of the formal complaint and communication with the Complainant, the Title IX Coordinator or investigator(s) shall provide Respondent with notice of the allegations potentially constituting a violation of the policy, including sufficient details known at the time, with time to prepare a response before an initial interview. Respondent is presumed not to be responsible for an alleged conduct and any determination as to responsibility is made only at the conclusion of the formal investigation process. Each party must be provided at least ten days to provide a response to any evidence obtained as a part of the investigation.

Witnesses must have observed the acts in question or have information relevant to the incident and cannot be participating solely to speak about an individual's character. The investigator will determine the relevancy of any proffered information, and will not consider statements of personal opinion, rather than direct observations or reasonable inferences from the facts, or statements as to any party's general reputation for any character trait, including honesty.

Review of Investigation

At the conclusion of the assessment, the Title IX Coordinator will determine the appropriate course of action, which may include informal/voluntary resolution that does not involve a formal grievance process or disciplinary action against a respondent or an investigation to determine if there has been a policy violation, and if so, whether sanctions are warranted. The specific procedures in determining responsibility following an investigation will be determined by the role of the respondent (e.g., student, resident, fellow, faculty, staff).

Imposition of Sanctions

Whether sanctions are warranted and, if so, the nature of the sanction(s) will be determined by the appropriate person(s) in accordance with the applicable Medical Student, Graduate Student, or Faculty Policy Manuals, or employment policy. Each of the procedures is guided by the same considerations of fairness and equity, and both a complainant and respondent shall have the same opportunities and rights within those procedures. In determining sanctions, the following factors will be considered:

- the nature and violence of conduct at issue;
- the impact of the conduct on the Complainant;
- the impact or implications of the conduct on the community or WMed;
- prior misconduct by the Respondent, including prior disciplinary history, both at WMed or elsewhere, and any criminal convictions;
- whether the Respondent has accepted responsibility for the conduct;
- maintenance of a safe and respectful environment conducive to learning;
- protection of WMed community; and,
- any other mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.

The disciplinary authority may impose any sanction deemed appropriate after a consideration of all of the relevant information and the findings.

Resources are available for both students and employees, whether as complainants, respondents or third parties, to provide support and guidance throughout the investigation and resolution of the complaint.

Throughout the process, if the allegations involve conduct that could constitute a crime, the Complainant and the Respondent have the option to have one other individual to act as an advisor who may be present at any meeting or interview related to the investigation or any hearing or subsequent disciplinary proceeding, as set forth below. The parties may select whomever they wish to serve as their advisor as long as the advisor is eligible and available, and usually not otherwise involved in the resolution process, such as serving as a witness. The advisor may be a friend, mentor, family member, attorney, or any other supporter a party chooses. However, the Complainant and the Respondent must answer questions directly. The advisor may not provide statements or answer questions. The advisor is a silent and non-participating presence who is there solely to observe and provide support during the investigative process. The Complainant or Respondent may, however, request to speak privately to their advisor in a nearby room. Neither the Complainant nor the Respondent or

their advisors may take photographs or make audio or video recordings. Prior to participating in any meeting, the advisor will be required to meet with a WMed administrator for an orientation to WMed policies and procedures, privacy protections and expected participation/decorum. The advisor may not be a fact witness or otherwise have any conflicting role in the process.

At the conclusion of the investigation, the investigator will prepare a written report that summarized the complaint, details the information gathered, identify the potential policy violations and synthesizes the areas of agreement and disagreement between the parties and any supporting information or accounts. In preparing the report, the investigator will review all facts gathered to determine whether the information is relevant and material to the determination of responsibility given the nature of the allegation, but shall not make any conclusion or determinations. Before the report is finalized, the Complainant and Respondent will be given the opportunity to review a draft investigative report. A Complainant and Respondent may submit any additional comment or evidence to the investigators within ten (10) business days of the opportunity to review the preliminary report.

Upon receipt of any additional information by the Complainant or Respondent, or after the ten (10) day comment period has lapsed without comment, the investigator will finalize the investigative report.

Hearing

WMed's formal investigative process must also provide for a live hearing. A live hearing will be conducted by a hearing officer, who will be a different individual than the investigator(s). All hearing officers shall be impartial, and free of any conflict of interest and must have specific training and experience investigation allegations of sexual and gender-based harassment or violence in accordance with this policy and as required under state and federal law and regulation. Each party must be provide an advisor for the hearing. If a party already has an advisor, the same advisor may be utilized. If a party does not have an advisor, or would like a WMed-provided advisor, an advisor shall be provided free of charge.

At a live hearing, decision makers must permit each party, through their advisors, to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility – known as cross examination. Cross examination must be conducted directly, orally, and in real time. At the request of either party, the live hearing can be conducted in a manner where the parties are located in separate rooms with technology to enable all individuals in the hearing to simultaneously see and hear the party or witness answering questions.

On cross examination, only relevant questions may be asked. Before an individual answers a question, the decision maker will determine whether the question is relevant and explain any decision to exclude an irrelevant question. The relevancy standards set for above in the investigation section shall also apply herein. If a party or witness does not submit to cross examination at the live hearing, the decision-maker shall not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision –maker cannot draw an inference about the determination regarding responsibility based solely on a party or witness absence from the hearing or refusal to answer a question. An audio or audiovisual recording of the hearing shall be created and be made available to the parties for inspection and review.

After the hearing, the decision maker shall issue a written determination regarding responsibility and whether any violation of policy has occurred. To reach this determination, the hearing officer shall use the preponderance of evident standard. The final report shall include: i) identification of the allegations; (ii) a description of the steps taken in the investigations; (iii) findings of fact; (iv)conclusions regarding the application of the policy to the facts; (v) final determination and any sanctions imposed.

The Complainant and Respondent will receive simultaneous written notification of the report, outcome, and the rationale for the outcome.

WMed will use its best efforts to complete its investigation and impose sanctions promptly, although this time frame may be extended for good cause. Good cause may exist for a variety of factors, including the complexity of the circumstances of each allegation, the integrity and completeness of the investigation, to comply with a request by external law enforcement, to accommodate the availability of witnesses, to account for WMed breaks or vacations, or to address other legitimate reasons. In the event a timeframe is

extended beyond WMed's expected timeline for completion, both the Complainant and the Respondent will be notified of any delay, the reason for the delay, and an anticipated time frame.

Imposition of Sanctions

Whether sanctions are warranted and, if so, the nature of the sanction(s) will be determined by the appropriate person(s) ("the disciplinary authority") in accordance with the applicable policy manual, policy and/or procedure based on the role of the Respondent (e.g., for student, the determination will be made in accordinace with the Medical Student Policy Manual and Student Misconduct policy; for graduate students, the determination will be made in accordance with the Graduate Student Policy Manual; for faculty the determination will be made in accordance with the Faculty Handbook; for employees, the determination will be made in accordance with the *Prohibition of Harassment, Discrimination, and Retaliation* policy). In all cases, the sanctions (s) will be designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting WMed's educational mission and Title IX obligations. Sanctions or interventions may also serve to promote safety or deter individuals from similar future behavior.

The disciplinary authority may consider the following factors:

- the nature and violence of the conduct at issue
- the impact of the conduct on the Complainant
- the impact or implications of the conduct on the community or WMed;
- prior misconduct by the Respondent, including the Respondent's relevant prior disciplinary history, both at WMed or elsewhere, and any criminal convictions;
- whether the Respondent has accepted responsibility for the conduct;
- maintenance of a safe and respectful environment conducive to learning'
- protections of the WMed community; and,
- any other mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.

The disciplinary authority may impose any sanction deemed appropriate after a consideration of all relevant information and the findings. The decision-making body reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior.

The Complainant and the Respondent will be notified, in writing, of the sanction and the rationale for the sanction, including to whom the sanction applies, the date by which the requirements must be satisfied (if applicable), and the consequences of failure to satisfy the requirement. The final report will also provide each party with their own appeal options. If, under extenuating circumstances, there are any changes to the outcome, both parties will be simultaneously notified at the earliest possible time.

WMed may also notify appropriate administrators, including a direct supervisor of a Respondent, as necessary to implement the outcome and/or sanctions. Sanctions for medical students and graduate students are described in the Medical Student or Graduate Student Policy Manual. Sanctions for faculty are described in the Faculty Handbook. Sanctions for other employees are described in the institutional *Prohibition of Harassment, Discrimination, and Retaliation* policy.

Appeal Process

Both parties shall have an opportunity to appeal a determination regarding responsibility, a dismissal of a complaint, and a sanctions determination. Appeals regarding final disposition of a complaint can only be brought on the following bases:

- Procedural irregularity that affected the outcome of the matter
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- WMed may offer an appeal equally to both parties on additional bases, depending on the particular circumstances involved.

As to sanctions, the appeal process for medical students is described in the Medical Student Policy Manual. The appeal process graduate students is described in the Graduate Student Policy Manual. The appeal process faculty is described in the Faculty Handbook. The appeal process for other employees is described in the *Prohibition of Harassment, Discrimination, and Retaliation* policy.

As to all appeals, all parties must be notified in writing when an appeal is filed and appeal procedures shall be implemented equally for both parties. An appeal decision-maker shall not be the same person as the decision-maker(s) that reached the determination regarding the complaint or sanctions, the investigator(s), or the Title IX Coordinator. Both parties will have an opportunity to provide a written statement in support of or challenging the outcome. Finally, a written decision shall be circulated simultaneously to the parties.

Record Keeping

For a period of seven (7) years, WMed will maintain records of any formal investigation, determination regarding responsibility, audio or audiovisual recording or transcript, disciplinary sanctions imposed, any interim or supportive measures or remedies provided, appeal, information resolution and result, all material used to train WMed employees.

WMed prohibits retaliation against any person or group who makes a good faith complaint, cooperates with an investigation, or participates in a grievance or related processes under this policy. Retaliation should be reported promptly to the Title IX Coordinator for investigation, which may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying prohibited conduct.

Sex Offender Registry and Access to Related Information

The Campus Sex Crimes Prevention Act (CSCPA) is a federal law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education or working or volunteering on campus. The CSCPA amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act to require sex offenders already required to register in a state to provide notice, as required under state law, to each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. It also mandates that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems.

The Michigan State Police maintain a listing of all registered sex offenders in Michigan. This information is available online at http://www.mipsor.state.mi.us/. An online search requires entering a zip code or the name and approximate age of an individual. The Michigan Public Sex Offender Registry is also available on the United States Department of Justice Sex Offender Public Registry. The Department of Justice sex offender website contains information on offenders from multiple states. Multi-state information can be located at http://www.nsopr.gov/.

CRIME STATISTICS

Definition of Crimes

The following definitions are taken from the Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) handbook as required by Clery Act regulations. In addition, Michigan Compiled Law (MCL) definitions are included.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

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

Burglary: The unlawful entry into a defined structure with the intent to commit a theft or felony.

Dating Violence: The term ‘‘dating violence’’ means violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; (iii) the frequency of interaction between the persons involved in the relationship. In Michigan, dating violence is included in the domestic violence law MCL 750.81 (2)(e).

Domestic Violence: The term ‘‘domestic violence’’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against

an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

MCL: 750.81(2)
1. The defendant assaulted or assaulted and battered the victim. The touching must have been intended by the defendant, that is, not accidental, and it must have been against the victim's will. An assault is an attempt to commit a battery or an act that would cause a reasonable person to fear or apprehend an immediate battery. At the time of an assault, the defendant must have had the ability to commit a battery, must have appeared to have the ability, or must have thought he had the ability.
2. At the time, the victim was any of the following:
a. The defendant's spouse,
b. The defendant's former spouse,
c. Had a child in common with the defendant,
d. A resident or former resident of the same household as the defendant,
e. A person with whom the defendant had or previously had a dating relationship. A "dating relationship" means frequent, intimate association primarily characterized by the expectation of affectional involvement. It does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context.

Drug Law Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include, but are not limited to: opium or cocaine and heir derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine). Does not include driving while under the influence, and/or being under the influence of narcotic/illegal drugs.

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

Hate Crimes: A criminal act motivated by bias against any person or group of persons, or the property of any persons or group of persons because of the ethnicity, race, national origin, religion, sexual orientation, or disability of the person or group of persons, or bias upon the perception that the person or group has one or more of those characteristics. For Clery Report purposes, the hate crimes are those associated with "reportable crimes" identified in the statistics reported.

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

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. Does not include public drunkenness or driving while under the influence.

Manslaughter by Negligence: The killing of another person through gross negligence.

Motor Vehicle Theft: The taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of title or possession of the motor vehicle.

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

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

Referrals for Disciplinary Action: Violations of liquor, drug, and weapons laws that are referred for internal disciplinary action.

Robbery: The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear.

Stalking: The term ''stalking'' means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

MCL: 750.411h

a. “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.
b. “Emotional distress” means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
c. “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.
d. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.
e. “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.
f. “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. Unconsented contact includes, but is not limited to, any of the following:
    i. Following or appearing within the sight of that individual,
    ii. Approaching or confronting that individual in a public place or on private property,
    iii. Appearing at that individual's workplace or residence,
    iv. Entering onto or remaining on property owned, leased, or occupied by that individual,
    v. Contacting that individual by telephone,
    vi. Sending mail or electronic communications to that individual,
    vii. Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual.

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

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 attempts to commit any of the aforementioned.

Unfounded Crimes: A new requirement for the Clery Report is to report the number of crimes that were unfounded. If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded.” Only sworn or commissioned law enforcement personnel may unfound a crime.

Report of Crime Statistics

Campus crime, arrest, and referral statistics include those reported to the Chief Safety and Security Officer and local law enforcement agencies. WMed believes an informed public is a safety-conscious public. The reported statistics in this report, provided in compliance with the Clery Act, cover the period January 1-December 31 for 2017, 2018, and 2019. Annually, the report is distributed to students, residents, fellows, faculty, and staff. Prospective medical students are notified of this report through distribution of the *Guide to Consumer Information* during on-site interviews. Prospective graduate students have access to this information during the application process. Prospective employees have access to this information during the application process.

The statistics include the number of individuals referred for disciplinary action for conduct that would constitute both a liquor, drug, or weapons law violation and a violation of institutional policies. Not all individuals referred for disciplinary action are found to have committed the violations with which they may be charged. The crime statistics include all reported crimes, not just those crimes determined to have actually occurred. The reported crimes may have involved individuals not associated with WMed. There are no on- or off-campus housing facilities, or non-campus locations of student organizations officially recognized by WMed.

Copies of crime statistics are available upon request from Facilities located on the Oakland Drive Campus at 1000 Oakland Drive, Kalamazoo, MI 49008, 269.337.4225, facilities@med.wmich.edu.

Crime Reporting for International Electives

Crime reporting for off-campus locations such as international electives is included in the crime statistics. Faculty advisors for the trips serve as the

designated CSA and are responsible for crime reporting immediately upon return to WMed.

Crime Statistics 2017, 2018, and 2019

Crime statistics for calendar years 2017, 2018, and 2019 are provided in Figure 1.

FIGURE 1 CRIME STATISTICS 2017, 2018, 2019

Reportable Crimes by Year	On-Campus Property			Non-Campus Property			Public Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/ Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Domestic Violence[1]	0	0	0	3	1	0	1	0	0
Dating Violence[1]	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	1	0	1	0	1	0
Aggravated Assault	0	0	0	1	1	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	5	2	2	1	0	0
Motor Vehicle Theft	0	0	0	0	0	0	1	0	0
ARRESTS									
Liquor Law Violation	0	0	0	0	0	0	0	1	0
Drug Law Violation	0	0	0	1	1	2	1	1	1
Weapon Law Violation	0	0	0	0	0	0	0	0	0
REFFERALS FOR DISCIPLINARY ACTION									
Liquor Law Violation	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0
Weapon Law Violation	0	0	0	0	0	0	0	0	0

[1] Dating Violence: Dating (intimate relationship) violence is considered domestic violence under Michigan law, therefore the number of dating violence incidents have been added to, and included in, the domestic violence category.

Hate Crimes: There were no reports of hate crimes in 2017, 2018 or 2019 calendar years.

Unfounded Crimes: No crime statistics have been withheld as unfounded.

Crime Statistics: Statistics include crimes reported to local law enforcement, which were derived from information provided by local law enforcement.