



## Annual Security Report

2022-2023

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## Introduction

West Shore Community College (WSCC) was established in 1967 and has experienced very few crimes, let alone serious crimes, during its 50+ years of operation. We strive to provide a safe environment for all, and therefore WSCC expects all students and employees to take an active role in safety and security. An important part of that process includes education of our campus community about potential hazards and available resources to use if/when needed.

In 1990, Congress enacted the Crime Awareness and Campus Security Act, which amended the Higher Education Act of 1965. This act requires all post-secondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1991, 1992, 1998, 2000, 2008, and 2013. The 1998 amendments were renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) in memory of a student who was a victim of campus violence in 1986. In March 2013, President Obama signed the Violence Against Women Reauthorization Act (VAWA). VAWA amended the Clery Act to require institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking; and to include certain policies, procedures, and programs pertaining to these incident categories in this report. These amendments went into full effect in 2015.

While it is impossible to totally isolate ourselves from crime or other threats to our safety, we can take steps to protect ourselves and respond appropriately when faced with danger. We urge those on our campus to be aware of their environment and to continually strive to maintain the highest level of safety within our community. This WSCC Annual Security Report is provided in compliance with the Clery Act and the Higher Education Opportunity Act (HEOA). The report is available on the WSCC website at <https://www.westshore.edu/campus-safety/> and may be obtained by contacting the WSCC Dean of Student Services at (231) 843-5965 or by stopping into the Student Services office, located at 3000 N. Stiles Road, Scottville, MI.

This report covers crime statistics and policies for all the West Shore Community College educational sites. The statistics provided in this report can also be accessed by visiting the U.S. Department of Education Campus Safety and Security website at [ope.ed.gov/campussafety/#](http://ope.ed.gov/campussafety/#).

### **What is the Clery Act?**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) was passed in 1990, named in remembrance of a Lehigh University freshman who was assaulted and murdered in 1986 in her dorm room. The Clery Act covers institutions of higher education that receive federal financial assistance and is enforced by the U.S. Department of Education.

The law requires colleges and universities to collect and publish detailed statistics about certain crimes that occur on and near their campuses, and to annually provide information about safety measures so that students, employees, and visitors can make informed decisions related to safety. Clery statistics are meant to be comprehensive, encompassing all reported crimes, not just those that have been investigated by law enforcement. Reporting for Clery purposes does not depend on investigative findings or a law enforcement decision to charge or not to charge. As long as there is a reasonable basis for believing a reported crime is not rumor or hearsay, it must be included in a campus's Annual Security Report (ASR).

An ASR is a report required by the Clery Act that each institution submits annually to the U.S. Department of Education and provides to the public. The ASR includes institutional safety and security-related policy statements and crime statistics. It is distributed to all current students and employees, and schools must inform prospective students and employees about the availability of the report. Crimes that occurred on campus, in or on any campus-owned or campus-controlled buildings or property, or on property immediately adjacent to and accessible from campus fall within the scope of Clery reporting.

Each institution's ASR must list and describe the type and specific location of any crimes that occurred. Crimes required to be reported (Clery Act crimes) include murder/non-negligent manslaughter, negligent manslaughter, forcible sex offenses, non-forcible sex offenses, robbery, aggravated assault, hate crimes, burglary, motor vehicle theft, arson, arrests for weapons, drug abuse violations, and liquor law violations, as well as disciplinary actions (referrals) for weapons, drug abuse, and liquor law violations. New requirements under VAWA now require reporting crimes defined as domestic violence, dating violence and stalking. Institutions must report sex offenses under four classifications: rape, fondling, incest, and statutory rape.

The Clery Act also requires timely warning notification to the campus community of all Clery Act crimes that are considered by the college to represent threats to students and employees. Institutions are to issue warnings as soon as pertinent information is available to ensure that the campus community is alerted to a threats and may aid in the prevention of similar crimes. In deciding whether to issue a warning, the institution should consider the nature of the crime, the threat of danger, and the possible risk of compromising law enforcement efforts. If the institution decides to issue a warning, the format selected should be one that is reasonably likely to reach the entire campus community (e.g., e-mail and/or text message).

Clery-covered institutions must develop policies, procedures, and programs relating to sex offenses. Institutional reporting procedures should outline the steps that a student should follow if a sex offense occurs, including who should be contacted, the importance of preserving evidence, and to whom the alleged offense should be reported. The institution should also maintain procedures for disciplinary action. Disciplinary procedures must provide both a complainant and respondent equal rights to have an advisor present during any proceedings that result, as well as to be informed of the outcome and any sanctions imposed. Additionally, procedures should list the potential sanctions for offenses. The victim should be informed of the right to call both local police and on-campus security, the availability of on- and off-campus counseling and mental health services, and options for reasonable accommodations in changing academic and on-campus employment situations after an alleged sexual assault.

### **What is VAWA?**

The College has some responsibilities under the Clery Act, as amended by VAWA. Congress adopted the Violence Against Women Reauthorization Act of 2013 (VAWA), a portion (Sec. 304) of which is commonly referred to as the Campus Sexual Violence Elimination Act, or "Campus SaVE." Colleges and universities were required to be in compliance with its requirements beginning October 1, 2014. VAWA section 304 amends the Clery Act and requires that colleges and universities report incidents of domestic violence, dating violence, and stalking in their ASRs, in addition to incidents of sexual assault.

The Campus SaVE Act also details certain requirements for student disciplinary procedures related to these incidents, including prompt, fair, and impartial investigations; annual training for student disciplinary hearing officials; the opportunity for both parties in student disciplinary proceedings to have an advisor of their choice present; and a requirement that both parties simultaneously receive written notice of any outcome of a disciplinary proceeding.

The Campus SaVE Act requires that parties who report incidents receive written notice of their rights, such as interim protective measures available to prevent a hostile environment and a description of the college's disciplinary process and potential sanctions. Institutions must also provide individuals with reporting options to notify proper law enforcement authorities, assistance in notifying law enforcement authorities if the victim so chooses, and the option to decline to notify the authorities. The Act also requires colleges and universities to prepare policy statements for prevention and awareness programs on domestic violence, dating violence, sexual assault, and stalking, and to develop a bystander intervention program for all incoming students and new employees.

## **What is Title IX?**

Title IX is a federal law that prohibits sex-based discrimination in education programs and activities that receive federal financial assistance. Education programs and activities include all of a school's operations, including employment and school-sponsored activities, both on or off campus.

## **What does Title IX Prohibit?**

It prohibits sex discrimination in educational institutions, programs, and activities. This includes, but is not limited to:

- Sexual assault;
- Domestic, intimate partner, and dating violence;
- Gender-based stalking;
- Sexual harassment (quid pro quo and hostile environment);
- Failing to provide appropriate accommodations for a pregnant or parenting student; and
- Treating a person differently based on marital status.

## **Campus Security Authorities (CSA)**

The College partners with the Scottville City Police Department for some on-campus security, but does not have a campus police or security department. All crimes should be reported to a designated campus security authority (CSA) to ensure inclusion in annual crime statistics and to aid in providing timely warning notices to the community. CSAs receive regular annual training. The following individuals are designated as CSAs and are available to assist with reporting in the event of a criminal incident, accident, fire, or other emergency:

- *Dean of Student Services* – Christopher Barry – 231-843-5965
- *Director of Enrollment and First Yr. Experience*– Annie Jacobson – 231-843-3329
- *Director of Human Resources* – Debbie Campbell – 231-843-5819

## **Reporting Procedure**

In the event that an employee or student of West Shore Community College becomes aware of a criminal action or other emergency on campus, it is the employee's responsibility (and WSCC student expectation) to notify the proper authorities. For any crime or emergency, first call 911 to report the incident to law enforcement. If the incident occurs during normal switchboard hours, the operator should be notified after calling 911 (dial "0" on any campus phone or call 231-843-5927). The operator will take the necessary information and make any needed additional notifications. When there is not an operator on duty, individuals should contact the WSCC Physical Plant Department at 231-843-5717.

Reports of criminal actions should be reported within 24 hours to the Dean of Student Services using the WSCC Incident Report form.

All reports will be thoroughly investigated by the Dean of Student Services. Local law enforcement agencies will also be involved when necessary. Violations of WSCC regulations, campus standards, or policies by students or employees will be handled in accordance with the appropriate disciplinary procedures. Violations of city/local ordinances and regulations by students, employees, and others will be referred to the appropriate enforcement authority for action. The Dean of Student Services will maintain all records of reports of alleged offenses, investigations, and action taken.

If an incident occurs off-campus, please dial 911 to report to the local authorities, who will develop written reports of all such criminal activities. This information will then be included in the Annual Crime Report, which will be published at the end of each the calendar year.

### Monitoring and Recording of Criminal Activity by Students at Non-campus locations of Recognized Student Organizations

WSCC does not have residential housing nor officially recognized student organizations that own or control housing facilities or other property outside of the WSCC main campus. All off-campus criminal activities will be collected from the local Sheriff's Office each year.

### Voluntary Confidential Reporting

If a victim of a crime does not want to pursue action within the college system or the criminal justice system, the victim may still want to consider making a confidential report. With the victim's permission, the Confidential Resource (Director of Access and Student Resources – Julie Dill – 843-5942 or [jdill@westshore.edu](mailto:jdill@westshore.edu) – Schoenherr Campus Center – Student Services Office) can complete a report with the details of the incident without revealing the victim's identity. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of themselves and others. With such information, the college can keep an accurate record of the number and type of incidents involving students, employees, and visitors; determine where there may be a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

## **Definitions of Geography**

### On-Campus

Any building or property owned or controlled by an institution within the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to the institution's educational purposes, including residence halls (WSCC does not have residence halls); and any building or property that is within or reasonably contiguous to the identified area of this definition that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

In an effort to help further define an "On-Campus" location, the following information is used: The location provides classes in an organized program of study, and has at least one person acting/overseeing in an administrative capacity. WSCC has only a single campus located in Scottville, MI.

**Main WSCC Campus:** 3000 N. Stiles Road  
Scottville, MI 49454

### Non-Campus Building or Property

Non-Campus buildings or property are defined as any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to the institution's educational purposes, is frequently used by students, and is not in the same reasonably contiguous geographic area of the institution. Although many locations are included in this category, the following is a sample of what is included:

- Manistee Education Center located within Munson Healthcare – West Shore Hospital (Manistee hospital);
- Manistee Downtown Education Center
- Riemer Regional Public Safety Training Center
- Classrooms at regional high schools where WSCC courses are taught; and
- Hotels used by student organizations when they travel for more than one night or use the same location every year.

**Manistee Education Center:** 1465 E. Parkdale Ave  
Manistee, MI 49660

**Manistee Downtown Education Center:** 400 River Street  
Manistee, MI 49660

**Riemer Regional Public Safety Training Center:** 6050 N. U.S. 31  
Free Soil, MI 49411

### **Public Property**

Public property includes streets, sidewalks, and parking lots that are within the campus or immediately adjacent to and accessible from the campus. The WSCC crime statistics do not include crimes that occur in privately-owned homes or businesses within or adjacent to the campus boundaries. Public property refers to property owned by a government entity such as a city or state government.

## **Crime Statistics**

### **Crime Definitions (Federal/Clery Definitions)**

*\* Listed In Alphabetical Order, Not Clery Hierarchy Order.*

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

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

*Burglary:* The unlawful entry of a structure to commit a felony or a theft.

*Dating Violence:* Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

*Destruction/Damage/Vandalism of Property:* To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

*Disciplinary Referrals (Referred for Disciplinary Action):* The referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

*Domestic Violence:* A felony or misdemeanor crime of violence committed by any of the following individuals:

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim has a child in common;
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;



- A person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of violence occurred; and
- Any other person against whom an adult or youth victim is protected in regards to that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

*Drug Abuse (Law) Violations:* Violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance is included, as are arrests for violations of state and local laws, specifically relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. Relevant substances include opium or cocaine and their derivatives (morphine, heroine, and codeine), marijuana, synthetic narcotics (Demerol and Methadone), and dangerous non-narcotic drugs (barbiturates, Benzedrine).

*Hate Crimes:* A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The following eight categories are reported: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. Crimes that are classified under this definition include all listed Clery Reportable Crimes plus: larceny/theft, simple assault, intimidation, destruction, vandalism, and/or damage. Weapon, drug law, and liquor law violations are not included in hate crime data.

*Intimidation:* To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

*Larceny/Theft:* The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. The constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.

*Liquor Law Violations:* The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, or possession of alcoholic beverages; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor; using a vehicle for illegal transportation of liquor; open alcohol in a motor vehicle; consumption of alcohol in public; and other related offenses. Driving under the influence of alcohol is not included in this definition.

*Motor Vehicle Theft:* The theft or attempted theft of a motor vehicle. Classified as motor vehicle theft are all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned, such as joy riding.

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

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

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

*Sexual Assault (Sex Offenses):* Sexual assault means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- *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 consent of the victim. This offense includes the rape of both males and females.
- *Fondling*: The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental incapacity.
- *Incest*: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Statutory Rape*: A non-forcible sexual intercourse with a person who is under the statutory age of consent (which is 16 in the State of Michigan).

*Simple Assault*: An unlawful physical attack by one person upon another where neither the offender displays a weapon nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

*Stalking*: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

- *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.
- *Reasonable person* means a person under similar circumstances and with similar identities to the victim.
- *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

*Weapon Law Violations*: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

### **Preparation of the Annual Crime Statistics**

The information below provides context for the crime statistics reported as part of our compliance with the Clery Act. The ASR includes crime statistics reported directly to the Dean of Student Services and statistics obtained from the Mason County and Manistee County Sheriff's offices, as required under the Clery Act.

Statistical information is gathered on at least an annual basis from all CSAs by the Dean of Student Services, with additional information being provided by the WSCC contracted counselor. The Title IX coordinator also provides statistics to the Dean of Student Services about cases reported directly to that office when the victim chooses not to report the incident to the police.

WSCC's ASR includes statistics from the previous three years and contains crime data in three separate categories of geography: On-Campus; Non-Campus (buildings or property leased or controlled by WSCC); and on Public Property within or immediately adjacent to and accessible from the On-Campus locations. Campus Geography is explained in more detail in the previous section. It should be noted that WSCC has no residential facilities.

The Clery Act requires campuses to include four general categories of crime statistics:

- *Criminal Offenses*: Criminal homicide, including murder and non-negligent manslaughter and manslaughter by negligence; sexual assault including rape, fondling, incest, and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; and arson.
- *Hate Crimes*: Any of the above–mentioned offenses, and any incidents of larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property that were motivated by bias.
- *VAWA Offenses*: Any incidents of domestic violence, dating violence, and stalking (note: sexual assault is also a VAWA Offense, but is included in the Criminal Offenses category for Clery Act reporting purposes).
- *Arrests and Referrals for Disciplinary Action*: Weapon Violations (carrying, possessing, flourishing, etc.), Drug Abuse Violations, and Liquor Law Violations. The term “referred for disciplinary action” in this sections means the referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

The statistics are published in accordance with the standards set forth in the FBI Uniform Crime Reporting Handbook and relevant federal and state laws. WSCC also submits the annual crime statistics published in this report to the Department of Education and the information collected can be found on the Department of Education website.

Once compiled, the Annual Security Report is written and placed on the WSCC website at <https://www.westshore.edu/campus-safety/>. Printed copies can be obtained by stopping into the Student Services office, located at 3000 N. Stiles Road, Scottville, MI. Each year, an email notification is made to all enrolled students, faculty, and staff about the availability of the report.

**Crime Data****Main Campus**

Criminal Offenses Reporting Table				
Offense	Year	Geographic Locations		
		On Campus Property	Non-Campus Property	Public Property
Murder/Non-negligent Manslaughter	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Manslaughter by Negligence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Fondling	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Incest	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Statutory Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Robbery	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Aggravated Assault	2020	0	0	0

	2021	0	0	0
	2022	0	0	0
Burglary	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Motor Vehicle Theft	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Arson	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

VAWA Offenses Reporting Table

Offense	Year	Geographic Locations		
		On Campus Property	Non-Campus Property	Public Property
Domestic Violence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Dating Violence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Stalking	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Arrests and Disciplinary Referrals Reporting Table

Offense	Year	Geographic Locations		
		On Campus Property	Non-Campus Property	Public Property

Arrests:	2020	0	0	0
Weapons (Carrying, Possessing, etc.)	2021	0	0	0
	2022	0	0	0
Disciplinary Referrals:	2020	0	0	0
Weapons (Carrying, Possessing, etc.)	2021	0	0	0
	2022	0	0	0
Arrests:	2020	0	0	0
Drug Abuse/Law Violations	2021	0	0	0
	2022	0	0	0
Disciplinary Referrals:	2020	0	0	0
Drug Abuse/Law Violations	2021	0	0	0
	2022	0	0	0
Arrests:	2020	0	0	0
Liquor Law Violations	2021	0	0	0
	2022	0	0	0
Disciplinary Referrals:	2020	0	0	0
Liquor Law Violations	2021	0	0	0
	2022	0	0	0

Manistee Center

Criminal Offenses Reporting Table				
Offense	Year	Geographic Locations		
		On Campus Property	Non-Campus Property	Public Property
Murder/Non-negligent Manslaughter	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Manslaughter by Negligence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Fondling	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Incest	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Statutory Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Robbery	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Aggravated Assault	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Burglary	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Motor Vehicle Theft	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Arson	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

VAWA Offenses Reporting Table

Offense	Year	Geographic Locations		
		On Campus Property	Non-Campus Property	Public Property
Domestic Violence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Dating Violence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Stalking	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Arrests and Disciplinary Referrals Reporting Table

Offense	Year	Geographic Locations		
		On Campus Property	Non-Campus Property	Public Property
Arrests:	2020	0	0	0
Weapons (Carrying, Possessing, etc.)	2021	0	0	0
	2022	0	0	0
Disciplinary Referrals:	2020	0	0	0
Weapons (Carrying, Possessing, etc.)	2021	0	0	0
	2022	0	0	0
Arrests:	2020	0	0	0
Drug Abuse/Law Violations	2021	0	0	0



	2022	0	0	0
Disciplinary Referrals: Drug Abuse/Law Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Arrests: Liquor Law Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Disciplinary Referrals: Liquor Law Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Riemer Regional Public Safety Training Center

Criminal Offenses Reporting Table				
Offense	Year	Geographic Locations		
		On Campus Property	Non-Campus Property	Public Property
Murder/Non-negligent Manslaughter	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Manslaughter by Negligence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Fondling	2020	0	0	0
	2021	0	0	0

	2022	0	0	0
Incest	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Statutory Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Robbery	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Aggravated Assault	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Burglary	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Motor Vehicle Theft	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Arson	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

VAWA Offenses Reporting Table

Offense	Year	Geographic Locations		
		On Campus Property	Non-Campus Property	Public Property
Domestic Violence	2020	0	0	0

	2021	0	0	0
	2022	0	1	0
Dating Violence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Stalking	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Arrests and Disciplinary Referrals Reporting Table

Offense	Year	Geographic Locations		
		On Campus Property	Non-Campus Property	Public Property
Arrests: Weapons (Carrying, Possessing, etc.)	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Disciplinary Referrals: Weapons (Carrying, Possessing, etc.)	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Arrests: Drug Abuse/Law Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Disciplinary Referrals: Drug Abuse/Law Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Arrests: Liquor Law Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

Disciplinary Referrals: Liquor Law Violations	2020	0	0	0
	2021	0	0	0
	2022	0	0	0

## Hate Crimes

West Shore Community College (WSCC) is dedicated to cultivating a safe and inclusive learning environment that embraces diversity and welcomes all members of the WSCC community. Hate crime statistics are categorized by various forms of prejudice. Most specific crime categories are included in the overall annual statistics. However, exceptions include instances of simple assault, intimidation, or any other crime resulting in bodily harm, not covered by the mandatory reporting categories. If a hate crime occurs, involving incidents like intimidation, vandalism, theft, simple assault, or other bodily harm, the law mandates reporting it as a hate crime, even if it doesn't require reporting under other sections of the compliance document. Please note that a hate or bias-related crime is not a separate offense but rather the commission of a criminal act motivated by the offender's bias. For instance, if an individual assaults another person (a crime), and it's established that the offender acted due to bias against the victim's race, sexual orientation, gender, gender identity, religion, ethnicity, national origin, or disability, the assault is also categorized as a hate/bias crime.

WSCC-Main Campus – Zero (0) hate crimes for the years 2020, 2021, and 2022.

WSCC\_Rierner Regional Public Safety Training Center – Zero (0) hate crimes for the years 2020, 2021, and 2022.

WSCC-Manistee Center – Zero (0) hate crimes for the years 2020, 2021, and 2022.

## Unfounded Crimes

If a Clery Act crime is reported within any of the College's Clery Act geographic areas and is investigated by law enforcement authorities, if it is subsequently determined to be false or without basis, the crime is labeled as "unfounded." Only sworn or commissioned law enforcement personnel have the authority to classify a crime as unfounded after a comprehensive investigative process.

WSCC-Main Campus – Two (2) unfounded crimes for 2020; zero (0) for 2021 and three (3) unfounded crimes for 2022.

WSCC\_Rierner Regional Public Safety Training Center – Zero (0) unfounded crimes for 2020; zero (0) for 2021; and one (1) unfounded for 2022.

WSCC-Manistee Center – Zero (0) hate unfounded for the years 2020, 2021, and 2022.

## Notifications

### Timely Warnings

Timely Warning Notices are notices which will be provided to students and employees in a manner that is timely, withholds the names of victims as confidential, and will aid in the prevention of similar occurrences. Timely warnings will be sent for all Clery Act crimes that occur within WSCC's Clery

geography (see definitions in geography section) that are reported to campus security authorities, or local police agencies who notify WSCC, or are considered by the institution to represent a serious or continuing threat to students or employees. Incidents are considered on a case-by-case basis in light of all known facts surrounding the crime, including the nature of the crime, continuing danger to the community, and the possible risk of compromising law enforcement efforts. Timely warnings are not limited to violent crime. Timely warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter;
- Aggravated Assault (cases involving assaults among known parties, such as a fight between two roommates that results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger WSCC community);
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a timely warning, but will be assessed on a case-by-case basis);
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the victim or designee). Cases involving sexual assault that are reported long after the incident occurred may not provide the ability to distribute a “timely” warning to the community. All cases of sexual assault, however, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a timely warning.
- Major incidents of Arson

The decision to issue a timely warning is made by the WSCC President or the President’s designee. Once the decision is made to issue a timely warning, the message will be drafted by the President or designee and sent to the Executive Director of College Relations for distribution to the campus community. WSCC uses multiple resources to collect information that may necessitate a timely warning. Information obtained directly by the Dean of Student Services or through police incident reports, provide information that may be use to determine if there is a threat to the campus community that requires a timely warning. Various methods will be used to communicate with students, employees, and visitors. These may include deployment of the WSCC early alert system, email, text messaging, and the use of social media.

### **Emergency Notification, Response, and Evacuation Procedures**

**CAMPUS EVACUATION PLAN:** In the event of an internal or external disaster requiring the full or partial closure of campus, staff shall respond as follows:

- a. **INTERNAL DISASTER** (boiler explosion, building collapse, power failure, etc.)
  1. Call 911 to report the situation and request emergency services as needed, then the college switchboard (press 0 from a campus phone). If the switchboard is closed, call maintenance at 231-843-5717.
  2. The decision to evacuate campus will be made by the President or a designee. If the President or designee are not available, the most senior college employee on site will make the decision.
  3. Facilities Maintenance personnel will communicate the evacuation order as they evacuate and secure each building room by room.
  4. Facilities Maintenance staff may be required to remain on duty to assist with restoration activity.
  5. The President or a designee will inform the media by normal means.

- b. EXTERNAL DISASTER (gas pipeline failure, flood, tornado, snow storm, etc.)
  1. WSCC would be contacted by a civil authority and informed of a specific situation and evacuation requirements would be established. Such contact would be directed to the President.
  2. Facilities Maintenance personnel will be informed and will communicate the evacuation order as they evacuate and secure each building room by room, then evacuate themselves.
  3. The President or a designee will inform the media by normal means.
  4. The decision to reopen campus will be made by the President or a designee with approval of the civil authority.

### **Public Safety Advisory**

In situations in which serious or significant crimes occur outside of the WSCC Clery reportable geography, WSCC may issue a Public Safety Advisory, when deemed necessary by the President or designee. The advisory will be issued via email and/or the WSC Alerts system by the Executive Director of College Relations or designee. This information will be provided for the information of students and staff to make them aware of ongoing criminal investigations that may be of concern to our campus community and to aid in the prevention of similar crimes.

### **Emergency Procedures**

WSCC maintains an Emergency Response Plan that outlines responsibilities of campus departments during emergencies. This plan outlines incident priorities, campus organization, and specific responsibilities of particular departments or positions. The current emergency response plan can be found by visiting <https://www.westshore.edu/campus-safety/>. The Campus Safety Team is responsible for developing emergency response and business continuity plans for the college. The Campus Safety Team also provides resources and guidance for the development of these plans.

### **Institutional Policies**

#### **Illegal Use of Alcohol and Other Drugs**

WSCC has developed a Drug Prevention Program in accordance with the Drug-Free Schools and Communities Act Amendments of 1989, and has developed a Drug-Free Workplace policy (WSCC Policy #2021).

#### **Drug and Alcohol Policy**

##### *2021 - Drug-Free Workplace*

1. The College shall maintain a drug-free workplace and comply with the requirements of the Federal Drug Free Workplace Act of 1988, the Drug-Free Schools and Communities Act (DFSCA), and Drug-Free Schools and Campuses Regulations. The President will develop procedures to prohibit the unlawful possession, use, sale and distribution of illegal drugs, unauthorized controlled substances, and alcohol by students and employees on College property or at College-sponsored events. These procedures will be distributed to all College employees and students and reviewed biennially.
2. Notwithstanding the above, alcoholic beverages may be served at official College events and at WSCC Foundation events when approved in advance by the President and in accordance with all applicable laws. No public funds will be expended by the College to purchase alcoholic beverages.

History – Readopted: March 21, 2016.

### Standards of Conduct

It is the policy of West Shore Community College that the sale, distribution, use, possession of, or being under the influence of alcoholic beverages or illegal drugs on campus and at off-campus, college-sponsored activities is prohibited (see Campus Standards in the online Catalog).

### Legal Sanctions

Students who use alcoholic beverages or controlled substances on college property face disciplinary action which could result in suspension or dismissal and prosecution under the law. Any person who illegally sells, provides, transports, possesses, or consumes alcoholic beverages or controlled substances on college property or at any off-campus, college-sponsored activity may face immediate arrest and prosecution under applicable federal, state, and local laws. Penalties under these laws may include fines, imprisonment, or both. A listing of federal and Michigan penalties is available in the Student Services Office.

### Health Risks

Use of alcohol and/or drugs can result in illness, injury, or death. A chart identifying the uses and effects of controlled substances is available in the Student Services Office.

### Disciplinary Sanctions

Students and employees who illegally use alcoholic beverages or controlled substances on college property face disciplinary action, which could result in suspension or dismissal and prosecution under the law. Refer to Campus Standards.

### Counseling and Treatment Programs

Catholic Human Services  
Briny Building  
50 Filer Street, Suite 210  
Manistee, MI 49660  
(231) 723-6321

Catholic Social Services  
5816 W. US 10  
Ludington, MI 49431  
231-843-4899

or

11 Washington  
Hart, MI 49420  
231-873-0250

Choices West Counseling Services  
49 N. Hart Street  
Hart, MI 49420  
231-873-1443

Substance Abuse & Mental Health Services  
1-800-662-HELP  
7 days a week, 24 hours a day

National Council on Alcoholism & Drug Dependence  
1-800-622-2255  
7 days a week, 24 hours a day

Students and employees engaged in substance abuse counseling or a prescribed program are not exempt from college policies, procedures, and rules. A listing of substance abuse and treatment programs in Michigan is available at <https://www.michigan.gov/mdhhs>.

WSCC's campus counselor is available to meet with students and provide referrals to substance abuse programs.

To speak to or make an appointment with WSCC's counselor directly, call 231-843-5561 or email at [eborgeson@westshore.edu](mailto:eborgeson@westshore.edu). You can also call Student Services to schedule an appointment at 231-843-5510. Counseling is a free service for all WSCC students. Some reasons why you may want to speak to a counselor include:

- Depression;
- Anxiety;
- Stress;
- Relationship Issues;
- Difficulty Focusing;
- Sleep Problems; and
- Suicidal Thoughts

On-line self-assessments can be found at <http://psychcentral.com/> for mental health issues such as depression and anxiety.

#### Drug and Alcohol Awareness Programs

Programming this year was limited due to COVID online requirements.

### **Sexual Misconduct Policy**

#### *Student Rights and Responsibilities*

Students at West Shore Community College are expected to be responsible for their actions and to respect the rights of others. Each student is expected to be honest, and to work to create an open, caring, and intellectually stimulating environment where diversity of ideas is valued and every person's dignity and autonomy are respected. When students are admitted, they accept the rights and responsibilities of membership in the College's academic and social community, and are subject to the policies and procedures of the College during their period of enrollment.

The College will maintain a code of conduct procedure with clear, published standards which (1) defines expected behaviors, (2) articulates prohibited behavior, (3) describes the disciplinary process, (4) outlines possible sanctions, (5) provides for due process rights, and (6) provides an opportunity for appeal. The College reserves the right to take disciplinary action in accordance with the conduct procedure if in the judgment of the college a student has violated any provision of the Code of Conduct or has not acted in the best interest of other students, faculty, staff, or the college as a whole. The code of conduct procedure includes standards prohibiting sexual assault and providing a procedure for reporting and adjudicating any such incidents, in accordance with the requirements of Title IX. In addition, the College may refer a student's conduct matter to appropriate authorities if determined necessary by the College.

History – Amended and readopted: March 21, 2016.



The following, condensed Title IX information, is pulled directly from the WSCC Title IX Policy and Procedures. The entire policy document can be found at <https://www.westshore.edu/wp-content/uploads/2019/08/ADM-47-DscrmntionHarassSxualMscndct-111017.pdf>.

### Sexual Misconduct Statement

It is the policy of West Shore Community College that no member of the College community—students, faculty, administrators, staff, vendors, contractors, or third parties—may discriminate against or harass any other member of the community. This covers discrimination, harassment, and sexual misconduct including sexual assault, domestic violence, dating violence, and stalking, that violates state and federal law and may be subject to College disciplinary sanctions and/or criminal prosecution. The College is committed to fostering a community that promotes prompt reporting of discrimination, harassment, sexual misconduct, domestic violence, dating violence, and stalking in any form and the timely, fair, and impartial resolution of complaints.

### In the Event of Alleged Sexual Misconduct

In emergencies, dial 911. Initial reports of discrimination, harassment, or sexual misconduct can be made via email, phone, or in person to Debbie Campbell, Title IX Coordinator (231-843-5819), or Christopher Barry, Dean of Student Services (231-843-5965).

An individual who wishes for the details of the incident to remain completely confidential may choose to speak with College resources who, by law, may maintain confidentiality. Confidential resources include:

- *Director of Student Access & Resources*: Julie Dill, 843-5942 or [jdill@westshore.edu](mailto:jdill@westshore.edu) - Schoenherr Campus Center
- *WSCC Contracted Counselor* – Erin Borgeson, 845-3318 or [eborgeson@westshore.edu](mailto:eborgeson@westshore.edu) - Schoenherr Campus Center

Complaints also can be filed with the Office of Civil Rights in the U.S. Department of Education (1-800-421-3481) or the Equal Employment Opportunity Commission (1-800-669-4000).

All individuals reporting alleged sexual misconduct will be provided written documentation to inform them of their rights and options, as well as resources available to them both on and off campus. Such resources include how to request changes to academic, living, transportation, and working situations or protective measures. The College is obligated to make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to law enforcement.

The College will make all reasonable efforts to maintain the privacy of the parties involved in an investigation and/or hearing. Certain campus employees have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes. All personally identifiable information is kept confidential, but statistical information regarding the type of incident and its general location (on- or off-campus, in the surrounding area, etc.) is published in the ASR. Any accommodations or protective measures provided to the victim will be kept confidential to the extent that maintaining such confidentiality would not impair the ability of the College to provide accommodations or protective measures.

### Educational Programs

The College engages in comprehensive educational programming through Campus Clarity to prevent domestic violence, dating violence, sexual assault, and stalking. Campus Clarity programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students, staff, and faculty that:

- Identifies domestic violence, dating violence, sexual assault, and stalking as prohibited conduct;
- Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking pursuant to Michigan law;
- Defines what behavior and actions constitute consent to sexual activity;
- Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks; and
- Provides information on the procedures the College will adhere to after a sex offense occurs.

Sexual misconduct/assault, domestic violence, dating violence, and stalking materials and programs are designed specifically for WSCC and are developed in conjunction with off-campus authorities, or may be pre-published, pre-packaged, or offered in conjunction with off-campus authorities. Materials and programs include seminars and workshops offered online or through classroom discussion (upon request) for students, through in-service sessions for employees, or through pamphlets, posters, and other literature addressing specific issues, such as sexual assault, acquaintance rape, sexual harassment, self-protection for men and women, crime reporting, and domestic violence. These resources are available at all times from both the Student Services and Human Resources offices.

### Bystander Intervention

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

### Risk Reduction Information

Risk reduction tips can often take a victim-blaming tone, even unintentionally. Only those who commit sexual violence are responsible for those actions. The College procedure and training segments offer the tips below with no intention to victim-blame, but with recognition that these suggestions may help to reduce the risk of experiencing a non-consensual sexual act.

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. Your partner's consent should be affirmative and continuous. If there are any questions or ambiguity then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension, and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
- Don't take advantage of someone's drunkenness or altered state, even if they willingly consumed alcohol or substances.
- Realize that your potential partner could feel intimidated or coerced by you. You may have a power advantage simply because of your gender or physical presence. Don't abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence, passivity, or non-responsiveness cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and nonverbal communication and body language.

### **Definitions**

*Dating and Domestic Violence:* Violence between those in an intimate relationship, which includes romantic relationships, dating, or domestic partnerships.

*Sexual Assault:* Sexual violence which is defined as threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person.

*Stalking:* A course of conduct directed at a specific person on the basis of actual or perceived membership in a protected class that is unwelcome and would cause a reasonable person to feel fear.

*Consent:* For prevention purposes, the College's procedure states that in order for individuals to engage in sexual activity of any type, there must be clear, knowing, and voluntary consent prior to and during sexual activity. Consent is an agreement reached by both parties to engage in a specific activity. Also, in order to give effective consent, one must be of legal age. Consent can be given by word or action, but non-verbal consent is not as clear as each individual talking about what is wanted sexually and what is not. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Previous consent does not imply consent to sexual activity in the future. Silence or passivity without actions demonstrating permission cannot be assumed to show consent. Consent, once given, can be withdrawn at any time. There must be a clear indication that consent is being withdrawn.

### **Sexual Assault**

WSCC is concerned about the safety and well-being of its college community. There is no right or wrong way to respond to an act of sexual assault; it is most important for the individual to respond in a way that is right for them.

A victim of sexual misconduct/assault, domestic violence, dating violence, or stalking's first priority should be to get to a place of safety and to obtain necessary medical treatment. Although it is the victim's choice, the College strongly advocates that any incident of sexual assault should be reported immediately

to law enforcement (dial 911). The College's Title IX Coordinator can assist you in notifying law enforcement, if you so choose. Time is critical for evidence collection and preservation as well as to ensure the medical treatment/well-being of the victim and safety of the campus community. Whether or not law enforcement is contacted, a report of an assault should be reported directly to the Title IX Coordinator (231-843-5819) or the Dean of Student Services (231-843-5965).

Assistance can also be obtained 24 hours a day/seven days a week through:

- C.O.V.E. (Communities Overcoming Violent Encounters): 1-800-950-5808
- CHOICES of Manistee: 1-800-723-7220 or 231-723-6597
- Hospitals/emergency rooms
  - Spectrum Health Ludington Hospital  
One Atkinson Drive  
Ludington, MI  
231-843-2591
  - Munson Health – West Shore Hospital  
1465 East Parkdale Avenue  
Manistee, MI  
231-398-1000
- National Domestic Violence Hotline: 1-800-799-7233 or 1-800-787-3224 TTD

The filing of a police report does not obligate the victim to prosecute. The decision whether or not to prosecute neither negates the responsibility of the College to take disciplinary action if the suspect is associated with the College (student or employee) nor the College's responsibility to count the statistic. The victim's identity and investigation, however, remain confidential to the extent permissible by law. Regardless, the crime statistic, once reported to a campus employee, must be recorded in the Daily Crime Log and certain information regarding the report may be releasable under the public record laws. Appropriate information must also be reported to the Title IX coordinator for follow-up.

Filing a police report will:

- Ensure that a victim of sexual assault, domestic violence, dating violence, or stalking receives the necessary medical treatment and tests at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);
- Ensure that the victim is provided information and opportunity to apply for an applicable restraining or harassment order against their assailant; and
- Ensure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention, domestic violence/dating violence, and stalking intervention.

### **Sexual Misconduct Campus Proceedings**

This process involves a prompt preliminary inquiry to determine if there is reasonable cause to believe a College policy has been violated. If so, the College will initiate an investigation that is thorough, reliable, impartial, prompt, and fair. Campus officials who conduct proceedings receive annual training on the issues of sexual misconduct and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability. The investigation determines whether a College discrimination policy has been violated based on a preponderance of evidence (based upon all information

obtained, is it more likely than not that one or more violations of the policy/procedure occurred?). If so, the College will promptly implement an effective remedy designed to end the discrimination, prevent its recurrence, and address its effects.

During the process, the College may provide interim measures to prevent continued discrimination or harassment during the investigation period as deemed appropriate. Examples include, but are not limited to, a no-contact order between the complainant and respondent, restrictions from areas of campus, provision of an escort to ensure safety in class and during activities, appropriate changes in academic or work schedules, and/or temporary suspension. Failure to adhere to the parameters of any interim measures is a violation of policy and may lead to additional disciplinary action.

The complainant(s) and the respondent(s) have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing.

### Process Summary Timeline

- Following the receipt of notice, the Title IX Coordinator (or designee) will contact the complainant and acknowledge receipt of notice, typically within three (3) working days, and schedule a preliminary fact-finding meeting with the complainant.
- Normally, within seven (7) working days after the preliminary fact-finding meeting, an initial determination will be made by the Title IX Coordinator whether there is reasonable cause to believe a conduct and/or policy violation may have occurred and/or whether informal measures might be appropriate. To make this determination, preliminary investigative sessions may be required with the complainant, respondent, and identified witnesses. If the complaint does not appear to allege a policy violation or if informal resolution is desired by the complainant, and appears appropriate given the nature of the alleged behavior, then the complaint does not proceed to the formal phase. The College will aim to complete informal resolution within ten-fourteen (10 – 14) work days.
- If after initial assessment of a complaint, the Title IX Coordinator determines that the complaint alleges a possible conduct and/or policy violation that is not appropriate for informal resolution, they will move forward to the formal phase.
- Typically within two (2) working days of when the decision was made to move forward to a formal resolution, the Title IX Coordinator will appoint a trained investigator to conduct the investigation.
- Investigations are completed as expeditiously as possible, normally within ten-fourteen (10-14) working days of the completion of the preliminary inquiry by the Title IX Coordinator.

All parties will receive written notification of the outcome, to the extent permitted by or mandated by law. In cases involving sexual misconduct, sexual harassment, stalking, and/or intimate partner violence, the written notification includes the finding, any resulting responsive actions, and the rationale for the decision. This written notification of final decision is delivered to the parties without undue delay between notifications, and explains appeal options. Appeal proceedings are described below.

### Findings for Reports of Misconduct by Employees

Where the responding party is found not responsible for the alleged violation(s), the investigation will be closed. If deemed necessary following its investigation, the College will follow disciplinary provisions in its procedures and collective bargaining agreements to determine sanctions.

### Findings for Reports of Misconduct by Students

- If the responding party is found not responsible for the alleged violation(s), the investigation will be closed.

- If the respondent accepts the finding that s/he is in violation of a College policy, the Title IX Coordinator will work with the appropriate College official for determination of sanctions. Such a disposition will be final and there will be no subsequent proceedings. The College will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and the College community.
- If the respondent rejects the findings in part or entirely, s/he has an opportunity to submit their rejection and then is referred for an administrative hearing.
  - While the complainant does not have a right to initiate a hearing at this point, if they are unsatisfied with the outcome, they may petition the Title IX Coordinator to reopen the investigation or forward the allegation to a hearing. This request should only be granted in extraordinary circumstances, and at the sole discretion of the Coordinator.

### Administrative Hearings

The Dean of Student Services (or designee) will conduct the hearing according to the student conduct procedure (SS17, section IV A6 – 9) to determine whether the responding party is in violation of the contested aspects of the report. The goal of the hearing is to provide an equitable resolution via an equitable process, respecting the civil and legal rights of all participants. All parties will receive written notification of the outcome within two (2) working days of the hearing.

The hearing officer has final decision-making authority with regard to formal reports, subject to appeal. Where the responding party is found in violation as the result of a hearing, the hearing officer will impose appropriate sanctions for the violation, after consultation with the Title IX Coordinator. The parties will receive standard notification as stated in the above summary timeline that will include appeals options and procedures, as well as any changes to the results that could occur before the decision is finalized.

### Requesting an Appeal

In the event that the responding party accepts the findings of the investigation, those findings cannot be appealed. Sanctions imposed post-investigation can be appealed by any party by making a request to the Title IX Coordinator. Post-hearing, any party may appeal the findings and/or sanctions only under the following grounds:

- A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures);
- New evidence is uncovered, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included; and
- The sanctions imposed fall outside the range of sanctions designated for this offense and the cumulative conduct history of the responding party.

If one of these grounds are met, the party requesting an appeal must show clear error in the original finding and/or a compelling justification to modify a sanction, as both finding and sanction are presumed to have been decided reasonably and appropriately during the original hearing.

### Summary of Appeal Process

The decision of the hearing officer may be appealed by filing a written appeal request to the Title IX Coordinator within three (3) working days of receiving the written decision. The request will be reviewed by the appeals officer (Vice President of Academic and Student Services or Title IX Coordinator or designee).

The procedures governing the hearing of appeals include the following:

- All parties should be informed of the status of requests for appeal in a timely fashion, the status of the appeal consideration, and the results of the appeal decision.
- Every opportunity to return the appeal to the original hearing body for reconsideration (remand) should be pursued.
- Appeals are not intended to be full re-hearings of the allegation (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal.
- Appeals decisions are to be deferential to the original hearing body, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.
- An appeal is not an opportunity for appeal officers to substitute their judgment for that of the original hearing officer merely because they disagree with findings and/or sanctions.
- The appeals officer will typically render a written decision on the appeal to all parties within five (5) working days from hearing of the appeal. The appeals officer's decision to deny an appeal request is final.

### Sanctions

Sanctions or responsive actions will be determined by the appropriate disciplinary authority. Factors considered when determining a sanction/responsive action may include, but are not limited to, the nature, severity of, and circumstance surrounding the violation; an individual's disciplinary history; previous complaint or allegations involving similar conduct; any other information deemed relevant by the Disciplinary Authority; the need for sanctions/responsive actions to bring an end to the behavior and/or retaliation; the need for sanctions/responsive actions to prevent the future recurrence of the behavior and/or retaliation; and the need to remedy the effects of the inappropriate behavior and/or retaliation on the victim and the College community.

Usual sanctions may be imposed per the following guidelines.

- *For students:* warning, restitution, denial of privileges, assignment to perform services for the benefit of the College community, re-assignment to another class section including the option for an online section, withdrawal agreement, suspension, expulsion, a "Cease communications" directive, or a "No trespass" directive.
- *For employees:* written warning, corrective actions, probation, restitution, denial of privileges, suspension, termination of employment, a "Cease Communications" directive, or a "No trespass" directive.
- *For authorized volunteers, guest(s), third parties, or visitors:* written warning, denial of privileges, dismissal from the College, a "Cease Communication" directive, or a "No trespass" directive.

### Sexual Assault Prevention and Awareness Training Programs

September 2020 – Human Trafficking Awareness – co-sponsored with the Zonta Club of Ludington.

- Red Sand Project (16<sup>th</sup> – 19<sup>th</sup>) – An interactive art exhibition designed to raise awareness of human trafficking and awareness to those who have fallen through the cracks of society – coordinated with Mason County District Library.
- Artwork Inspired by Human Trafficking (16<sup>th</sup> – 19<sup>th</sup>) – Students encouraged to create artwork inspired by the discussion on human trafficking events throughout the week.

- Public Screening of “Break the Chain” (24<sup>th</sup>) – Award-winning human trafficking documentary, including a presentation and Q&A session with director/producer Laura Swanson.

### **Personal Protection Order Process**

Any person who obtains an order of protection from Michigan or any reciprocal state (Per MCL 600.2950 upon service, a personal protection order (PPO) may also be enforced by another state, Indian tribe, or a territory of the United States) should provide a copy to the WSCC Dean of Student Services and the appropriate jurisdiction of record. A complainant may then meet with the Dean of Student Services to develop a plan to reduce the risk of harm while on campus or coming and going from campus. WSCC will assess the need to implement interim or long-term protective measures to protect the complainant and, if appropriate, will provide a “No Trespass” directive to the accused party. WSCC cannot apply for a legal order of protection, no contact order, or restraining order for a victim from the applicable jurisdiction. A victim is required to apply directly for these services with the Mason County Clerks Office.

The PPO Office will assist in making the filing process go as smoothly as possible. Please remember that if you have initiated your own lawsuit, you are representing yourself in this action. The PPO staff are not attorneys, investigators, enforcers, or process servers.

### **Criteria for a PPO**

The petitioner and respondent are in one of the following types of relationships:

1. Are a husband and wife and an action for annulment, divorce, or support (is/not) pending;
2. Were husband and wife;
3. Reside or resided in the same household;
4. Have a child in common;
5. Have or had an intimate dating relationship;
6. Have some other family relationship; and/or
7. Are in a stalking situation as defined by MCLA 750.411(h) which states: “*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.”

### **Statutory Requirements**

Personal Protection Orders are not for civil matters such as custody and neighbor disputes. For help in neighbor conflict, contact Mediation & Restorative Services at (616) 727-6001. Petitioner must be at least 18 years old unless accompanied by someone of that age or older who will consent to be the petitioner’s *Next Friend*, preferably a parent.

### **Other Requirements**

Parties filing need to present a valid picture ID (includes other state driver’s license, passport, or school identification). A signed personal protection order must be served upon the respondent and a proof of that service needs to be filed in the case.

### **PPO Office Hours**

General walk-in office hours are Monday-Friday from 8 a.m. to 5 p.m. You can also contact the Mason County Clerk’s Office at 231-843-8202.



### **PPO Expiration Date**

PPOs are only in effect up to the expiration date. This date is located near the bottom right of the order. If you need to extend your order, you must file the motion at least three days before the expiration date. Extensions may be requested for another six months, one year, or five years; the judge has the final say on the length of an extension.

### **Enforcement of a PPO**

If a violation occurs, do not call the PPO office, call the police. A police report is helpful, but not required to pursue a violation of the respondent through the courts. If no arrest is made and you wish to pursue the violation, contact the PPO Office for paperwork to schedule a hearing. The petitioner will need to follow the PPO conditions, as well as the respondent. Please note that only the judge may change the conditions of or dismiss the PPO.

### **Change of Address**

Persons who obtain Personal Protection Orders will be responsible for providing the PPO office from which they obtained the order with any updated address or phone number changes for the duration of the order.

### **WSSC No Contact Orders**

WSSC may also issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, college offices will work cooperatively to ensure that the complainant's health, physical safety, work, and academic status are protected, pending the outcome of a formal college investigation of the complaint.

## **Sex Offender Registry and Access to Related Information**

Upon release from prison, individuals convicted of sex crimes in Michigan are required by state law to register their home address with their area law enforcement agency. In addition, if registered sex offenders are enrolled or employed at a post-secondary institution, the offenders must also provide this information to the state through their local law enforcement agency. The state of Michigan maintains the information regarding convicted sex offenders at <https://mssql.com/>.

In order to use this website, you must enter either a ZIP code, or 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 at this printing contains information on offenders from 50 states, the District of Columbia, US Territories, and Indian Country. The multi-state information can be located at <https://www.nsopw.gov/>.

### **Notification to Victims of Crimes of Violence**

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

## **Student and Employee CARE Team**

The WSSC CARE Team is a group of WSSC administrators and faculty who deliberate about and reach out to any student, guest, or campus employee whose behavior may represent a concern. The team's

approach is based on caring concern for the individual's well-being and the well-being of the campus community. In addition, the CARE Team is responsible for providing information and resources to members of the college community on risk prevention, threat identification, and procedures to report suspicious or threatening behaviors. Finally, the CARE Team designs strategies for prevention of potential campus threats. Additional information on the CARE Team can be found at [www.westshore.edu/campus-life/care-team](http://www.westshore.edu/campus-life/care-team).

### **Maintenance of Campus Facilities**

The Maintenance Department manages the buildings and grounds on campus with the utmost concern for the safety and security of staff, students, and visitors. The parking lots, building entrances, and main campus walkways are well illuminated. Care has been taken in landscape planning and lighting to assure that the entrances to all of campus buildings are visible from a distance. The WSCC Maintenance Department considers any event that endangers the life, health, or safety of a person or represents a source of possible damage to college property as an emergency condition. These conditions may include flood, water pipe breakage, steam leak, electrical short or exposed wiring, etc. Emergency conditions should be reported to the maintenance office at (231) 843-5900 or after hours (231) 843-5717.

### **Security on Campus**

Safety is an important issue for the campus and the College is committed to maintaining a safe and healthy environment. All members of the campus community - students, faculty, and staff - should take an active role in preventing and reporting incidents that jeopardize safety on and around campus. Contact information and guidelines on what to do in the event of an emergency can be found at [www.westshore.edu/campus-life/campus-safety/](http://www.westshore.edu/campus-life/campus-safety/).

### **Building Access**

During business hours, WSCC will be open to students, employees, and visitors. During non-business hours, access to all College facilities is by key, if issued, or by admittance via Maintenance Department staff. Individuals accessing areas during non-business hours are required to ensure all doors used are locked while in use and upon leaving the area. Access control for the college is the responsibility of the Human Resources office and will follow procedure *ADM 7* for security of the college key system.

### **Safety and Awareness Tips**

WSCC is committed to providing a safe campus. In keeping with this goal, individual safety is a priority. The information below has been compiled to provide students, faculty, staff, and visitors with a better understanding of measures that can be taken to provide a safer environment in which to work and study. The personal use of this information will help prevent individuals from becoming a victim and will assist the college community in establishing a safe atmosphere. For information on other safety tips or possible programs and classes available, please contact the WSCC Student Services Office.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own safety and the safety of others. Participants in these programs are asked to be alert, security-conscious, involved, and are advised to call the WSCC Dean of Student Services to report suspicious behavior. For additional questions regarding crime prevention, contact the Dean directly at (231) 843-5965 or [cbarry1@westshore.edu](mailto:cbarry1@westshore.edu)

**Personal Safety**

- Put all important WSCC campus phone numbers in your personal cell phone: 911, then the WSCC switchboard at (231) 845-6211 for an emergency; or the Dean of Student Services at (231) 843-5965 for a non-emergency.
- If at all possible, avoid studying alone. If it becomes necessary, always let someone know where you are and an approximate time when you will be finished.
- Keep your books or personal belongings in view at all times. Never leave them behind, even for a second, to use the restroom or get a drink. Carry purses and backpacks securely.
- Trust your instincts. If you suspect something is wrong or you feel uneasy about a situation, do not ignore the feeling. Move to a safe location.
- Avoid dangerous situations. Use your best judgment in deciding where you will go and what you will do.
- Walk on the well-lit, designated college walkways.
- Walk with friends or classmates. If that isn't possible, contact maintenance through the switchboard at (231) 845-6211 to request an escort to your vehicle.
- Walk facing traffic when possible.
- When off campus, avoid shortcuts through dark areas, vacant lots, and other deserted places.
- Walk confidently and assertively. An assailant looks for someone vulnerable. If you suspect that you are being followed, turn or cross the street. If you are being followed, use a cell or campus phone to call 911. Find a safe area to go, such as an office, highly visible area, or place where there are people who can see you.
- Always keep your keys in your possession. Keys can be duplicated.
- Report all thefts to the Dean of Student Services immediately.

**Vehicle Safety Tips**

- Have your keys in your hand before you reach your vehicle.
- Check the interior of your vehicle before entering it.
- Plan your route in advance and try to travel well-lit streets.
- Keep your car doors locked and your windows rolled up.
- If you have a flat tire in a questionable area, drive on it until you reach a safe, well-lit area.
- When parking your vehicle at night, select a spot that is well illuminated.
- If you believe you are being followed, DO NOT DRIVE HOME. Stay on busy streets and drive to a police department or busy public place.
- Wear your seatbelt. Place children in approved car seats or safety belts.
- Thefts from vehicles can occur on campus. The items most frequently stolen are book-bags, purses, cellular phones, CD players, MP3 players, unattached speakers, and other items considered valuable that can be seen inside your car.

## **Conclusion**

If you have any questions about this document or anything it refers to, please do not hesitate to contact the Dean of Student Services at (231) 843-5965 or any of the appropriate resources indicated throughout this report.