Jeanne Clery Campus Safety Act (Clery Act) and the Safe and Drug-Free Schools and Communities Act (DFSCA): Policies, Reporting, Warnings, Notifications, and Sanctions

The Jeanne Clery Campus Safety Act, more commonly known as the Clery Act, is contained in section 485 of the Higher Education Act, codified at 20 U.S.C.S 1092. It requires all post-secondary education institutions to maintain records and report annually on the nature, date, time, and place of crimes occurring on campus, including hate crimes. It also prescribes a number of security related protocols for emergency response procedures, timely notifications for on-campus crimes, etc. The act is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about safety on campus so that they can make informed decisions.

Preparation of the Annual Security Report

Northwestern Technological Institute prepares this report to comply with the Jeanne Clery Campus Safety Act. This report is prepared annually in cooperation with local law enforcement agencies surrounding our main campus. Campus crime, arrest and referral statistics include those reported to designated school officials (including but not limited to the School Director), as well as local law enforcement agencies. Campus crime data is gathered the same day that it is reported. The resulting data is used to prepare the annual crime statistics report. Also included in this report is Northwestern Technological Institute's Drug and Alcohol Abuse Prevention Programs. Both the Annual Security Report and Drug and Alcohol and Abuse Prevention Programs are available online at www.northwesterntech.edu.

Alcoholic Beverages and Illegal Drugs

Northwestern Technological Institute complies with the Drug-Free Schools and Communities Act of 1989. The distribution, possession, use and sale of controlled substances, illicit drugs, and alcohol is illegal under state and federal law and is prohibited on the campus of Northwestern Technological Institute. Any persons appearing on campus while under the influence of alcoholic beverages, narcotics, and other drugs, will be subject to disciplinary and/or legal action. The possession of alcohol by anyone less than 21 years of age is illegal. Violators will be subject to disciplinary and/or legal action.

- Disciplinary actions may consist of a written reprimand, restriction of privileges, disciplinary probation, suspension, or dismissal.
- Legal actions may consist of the payment of fines, restitution of damages, and/or imprisonment.
- A determination is made by the Institute official as to whether a situation requires assistance from law enforcement officials.

Drug/Alcohol Abuse Education Programs

Information relative to available Drug/Alcohol Abuse Prevention programs can be found in Northwestern Technological Institute's Drug and Alcohol Prevention Program packet. This packet contains information regarding health risks, legal sanctions, assistance organizations, etc. Northwestern Technological Institute is committed to working with the community for drug abuse education and prevention. All employees and students receive a Drug-Free Awareness Statement containing information on the effects of certain drugs/narcotics and alcohol, the penalties of possession of drugs/narcotics and alcohol, and information on where assistance can be obtained if a problem exists.

Annual Security Report

Northwestern Technological Institute believes that an informed campus, including students, faculty, and staff promotes a healthier and more secure environment and we encourage all students, faculty and staff to accept responsibility for their own security as well as the security of other members of the Institute.

Northwestern Technological Institute's commitment to safety and security includes:

- Providing a secure and crime free environment for students, faculty and staff.
- Performing regular evaluation of security programs.
- Monitoring and following up on each crime reported at Northwestern Technological Institute.

As you read the following report, please address any comments, questions, or concerns to:

Northwestern Technological Institute
Attention: Lorne Gauthier, School Director
24800 Northwestern Highway
Southfield, MI 48075

Distribution of the Annual Security Report
The Annual Security Report is published and distributed annually by October 1st to all enrolled students and all employees. Prospective students and employees are made aware of this report via publication, are provided a general summary of its contents, and may request a copy prior to enrollment or employment.

Reporting of Crimes
Northwestern Technological Institute is committed to creating an environment that both promotes and assists in the prompt reporting of all criminal offenses including domestic violence, dating violence, sexual assault, and stalking to provide a compassionate supportive environment for survivors.

Students, faculty, or staff who wish to report criminal actions are encouraged to accurately and promptly report any and all crimes or emergencies occurring on campus directly to the School Director. Students, faculty, and staff are cautioned to never attempt to apprehend or pursue a suspected criminal. If you have any doubts about whether to report something that has occurred, report it. Victims of, or witnesses to, crimes may disclose them directly to the School Director (Title IX Coordinator). The Title IX Coordinator can then determine whether the event constitutes a crime that has to be collected and statistically reported. Filing a report with the Institute does *NOT* obligate the victim to prosecute. An incident of sexual misconduct may be reported at any time, regardless of how much time has elapsed since the incident occurred. Any information given by the victim will remain confidential (in accordance with the Confidential Reporting Procedures below) and will not be shared without the victim's consent or unless the victim has also reported the incident to law enforcement. Your cooperation in timely reporting assists the school in issuing equally timely warnings to the Northwestern Technological Institute campus if necessary. Always use your eyes, ears, and (cell) phone to keep campus officials advised of what you see and hear. Contact the School Director (Title IX Coordinator) immediately, in person or via telephone (248) 358-4006, if you see any of the following:

- Strangers loitering in office areas, hallways, classrooms, or student lounge areas, etc.
- Unsecured doors or windows in the building that should be locked.
- Anyone tampering with a motor vehicle or loitering in the school parking lot.
- Persons publicly displaying a weapon on school property.
- Suspicious persons carrying articles, equipment, luggage, or other packages out of the building.

Crimes or suspected criminal activity should be reported to the School Director or, if appropriate, to 911. Criminal actions should then be immediately reported by students, faculty, or staff to the local authorities. During this time, an Incident Report Form will be completed by Northwestern Technological Institute, along with the person reporting the crime. This report should be filed as soon as possible with the School Director (Title IX Coordinator), who will follow up on the report personally or assign responsibility to another appropriate administrator to follow up and report on the outcome as well as determine any preventative measures necessary to ensure the safety and security of all staff, faculty, and students. All alleged criminal incidents reported to the Institute, including those not related to the Clery Act, are required to be recorded in a crime log, by the date in which they are reported. The crime log is available for review during School business hours and can be viewed in the School Director's office. In addition, Northwestern Technological Institute must report in its Annual Security Report and disclose the number of crimes that were "unfounded" (determined by a sworn or commissioned law enforcement officer to be false or baseless) to the Department of Education. Additional copies of the Northwestern Technological Institute Incident Report Form may be requested from the School Director's Office.

Confidential Reporting Procedures
All incident reports received by the School Director (Title IX Coordinator), shall include the names of the alleged perpetrator and student/staff or faulty member involved in the sexual violence, as well as any relevant facts including the date, time, and location. If a victim discloses the incident directly to the School Director (Title IX Coordinator), but wishes to maintain confidentiality, or requests that no investigation into a particular incident be conducted or disciplinary action taken, the School Director (Title IX Coordinator) will evaluate the request against the school's obligation to provide a safe environment for all students. If the school honors the request for

confidentiality, a victim must understand that the school's ability to investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

Reporting Policy Relative to Counselors

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f) clarification was given to those considered to be campus security authorities. At this time, the School Director (Title IX) is considered the only campus security authority. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes to the School Director (Title IX Coordinator) for inclusion into the annual disclosure of crime statistics without the victim's permission. As a matter of policy they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistic. Northwestern Technological Institute does not have an employee on staff who would be considered either a pastoral counselor or a professional counselor, however, the Institute contracts with a licensed counselor in the event counseling services are needed.

Timely Warnings

In the event a situation arises, is reported to a school official or local police, either on or off campus, that, in the judgment of the School Director, constitutes an ongoing or continuing threat to the student body, staff and or faculty, a campus-wide warning will be issued in a manner that is timely and aids in the prevention of similar crimes. The warning will be issued via memorandum, in-class announcements, or other appropriate means to all students, faculty, and staff. Anyone with information warranting a timely warning should immediately report the circumstance to the School Director, in person or via telephone at (248) 358-4006. In addition, the School Director may issue an alert regarding a crime occurring off-campus but in a location frequented by students, even though such a crime would not be included in the annual report. Timely warnings will withhold as confidential the names of any victims.

Security and Access

During business hours, the Institute is open to students, parents, guests, employees and invitees. During non-business hours, access to Institute facilities is by key, if issued. The building is equipped with a security system to include cameras which monitor student areas such as parking, vending, hallways and stairways, etc. The Institute maintains no campus residences or dormitories. Maintenance personnel have supervised and limited building access to the extent of completing their assigned maintenance and janitorial job duties.

Campus Law Enforcement

Northwestern Technological Institute is a non-residential school and does not employ specific campus security personnel. Responsibility of security rests with the employees of the Institute. Students and employees are strongly encouraged to immediately report all crimes/incidents to campus personnel. A determination is then made as to the necessity of outside local or State law enforcement agencies. Campus personnel do not possess arrest authority.

Voluntary confidential reporting: Since Northwestern Technological Institute is a non-residential school and does not have a campus police force; all crimes must be reported to the local or State authorities.

All members of the school campus community are encouraged to assist one another by taking responsibility for personal safety and assisting with the security needs of others. While school staff and security measures may offer assistance regarding safety and security concerns, ultimately the primary responsibility for safety begins with each individual.

Personal Safety

- Be aware of your surroundings and of those around you.
- Do not walk in dark, unlighted areas or surroundings.
- Walk in pairs or groups when entering and exiting the Institute.
- Avoid working or studying alone at night, in remote areas or offices, and keep your door locked if you have to work late.
- Have your keys ready and in hand when approaching your vehicle or office.

Vehicle Security

- Park in well lighted areas and always lock your car.
- Secure your windows by rolling them up.
- Secure valuables such as radios, phones, books, and packages by placing them in the trunk or out of sight.
- Invest in a car alarm; kill switch, and/or steering wheel locking device.
- Park in authorized spaces and between the lines to reduce the chance of damage or vandalism to your vehicle.

Property Security

- Lock and secure your desk and office when not in use.
- Lock up equipment when not in use.
- Do not leave books, bags, purses, wallets, keys or any other possessions unattended.
- Identify your valuables with tags, marker, etc...

Security and Crime Prevention Awareness Programs

Northwestern Technological Institute provides its students, staff and faculty with information on personal safety and crime prevention. Students and employees are made aware of campus crime through the following:

- Annual Reports: Each year, Northwestern Technological Institute prepares an annual disclosure of crime statistics with the assistance of the Southfield Police Department.
- Distribution of Crime Prevention/Security Awareness Material: Northwestern Technological Institute offers a variety of Crime Prevention/Security Awareness literature that is readily available to both students and employees.
- Student Services Program

Off-Campus Student Organizations/Criminal Activity

Any criminal activity occurring off-campus that is Institute related will be appropriately recorded and monitored via communication with the suitable law enforcement agency.

Emergency Notification - Response and Evacuation Procedures

Upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff on campus, Northwestern Technological Institute will immediately notify, without delay, all offices, classrooms, and student areas simultaneously via intercom alert system. A warning may be withheld if the warning jeopardizes or compromises efforts to contain the emergency. To ensure, as far as practicable, that no individual suffers injury or illness as a result of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on campus, Northwestern Technological Institute has developed and implemented the following emergency response and evacuation procedures. Furthermore, Northwestern Technological Institute provides annual training to all faculty and staff as well as offers new students an overview of the Emergency Response and Evacuations Procedures. The procedures that follow are designed to assist in the organization and implementation of emergency evacuation procedures for all areas occupied by Northwestern Technological Institute.

Statement of Immediate Notification

Northwestern Technological Institute will immediately notify the campus community upon confirmation of an emergency or dangerous situation.

How the Institution will Confirm that a Significant Emergency or Dangerous Situation Exists

The School Director is responsible for confirming that an emergency or dangerous situation exists. In the event that the School Director is not available, a designated individual will make this confirmation. To make this confirmation, the School Director will gather all applicable information from all available resources at the time.

Segment or Segments of the Campus Community to Receive a Notification

The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. If only specific segments of the campus are notified, there will be a continuing assessment of the situation, and additional segments of the campus community may be notified if a situation warrants such action.

Determining the Content of a Notification

The School Director (or designated individual in the absence of the School Director) will determine how much information is appropriate to disseminate at different points in time. Depending on which segment or segments of the campus community the notification is targeting, the content may differ.

Initiating the Notification System

The School Director (or designated individual in the absence of the School Director) will initiate notifying the campus security that there is an emergency or dangerous situation. In all cases of emergencies and/or dangerous situations, every attempt is made to alert

first responders first, so that they are able to respond quickly to an emergency situation. The method(s) used to notify the campus community will differ depending upon the situation and may include fire alarms or public address systems to alert the community. Specific methods are discussed below where specific emergencies or dangerous situations are addressed.

Timeliness of Notification

As soon as the Institute has confirmed that a significant emergency or dangerous situation exists, the Institution will (without delay and taking into account the safety of the campus community):

- Take into account the safety of the campus community
- Determine what information to release about the situation; and
- Begin the notification process.

The only time the Institution would not immediately issue a notification for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to:

- Assist a victim
- Contain the emergency
- Respond to the emergency; or
- Otherwise mitigate the emergency

Persons Responsible for Carrying Out Confirmation and Notification Procedures

- Lorne Gauthier, School Director
- Eric Vuichard, Program Coordinator
- Vince Knight, Evening Manager/Instructor

Disseminating Emergency Information to the Larger Community Outside the Campus Community

Not all emergencies require dissemination of information to the larger community outside of the campus community, and procedures differ depending on the situation. If disseminating information is necessary, the Institution will notify local radio/tv outlets in order to issue alerts, or the Institution may utilize its various social media accounts (ie.. website, X, Facebook) in order to issue alerts to the larger community.

1. **Emergency Response Team (ERT)**
   Northwestern Technological Institute has developed an Emergency Response Team (ERT) to assist in the response and evacuation of an emergency situation on campus. The Emergency Response Team is comprised of individuals employed within Northwestern Technological Institute, who have been given specific responsibilities to ensure the safety of the students and staff and resolution of the situation at hand.

   - The Emergency Response Team members are comprised of:
     - Lorne Gauthier – School Director
     - Chris Johnson - Instructor
     - Vince Knight – Evening Manager/Instructor
     - Daniel Kubacki - Instructor
     - Monika Ramos – Financial Aid Director
     - Amy Roberts – Default Management
     - Amar Shaouni - Instructor
     - Eric Vuichard – Program Coordinator
     - Building Security Officer

   - Location Responsibility Breakdown of Emergency Response Team
     - Monika Ramos (Primary) 1st Floor
     - Amy Roberts (Back-up) – 1st Floor
     - Daniel Kubacki (Primary) – 2nd Floor
     - Chris Johnson (Back-up) – 2nd Floor
     - Amar Shaouni (Primary) – 3rd Floor

- Vince Knight (Back-up) – 3rd Floor
- Building Security Officer – General

- Responsibility Breakdown of Emergency Response Team
  - Assist individuals to safety wherever possible.
  - If possible, ensure that all individuals on their designated floor, including restrooms, have evacuated the building via the safest and nearest evacuation route.
  - Secure their designated floor to prevent unauthorized individuals from entering.
  - Perform secondary search of their entire designated floor area to ensure complete evacuation (if possible).

NOTE: In the event any of the individuals are not available during an emergency, the School Director or designee will provide alternate instructions to members of the ERT.

2. Emergency Response and Evacuation Practice Tests

Northwestern Technological Institute will annually test its Emergency Response and Evacuation procedures. All Emergency Response Team members will be notified prior to the test and their attendance is required. It is the School Director's responsibility to ensure that at least one emergency response and evacuation practice test is conducted each year. These tests may be announced or unannounced and each will be documented with a description of the exercise, the date, time, and whether the test was announced or unannounced. Northwestern Technological Institute will publicize its emergency response and evacuation procedures in conjunction with at least one test per calendar year, documenting, for each test, a description of the exercise, the date and time and whether it was announced or unannounced.

3. Types of Emergencies Requiring Emergency Notification

Upon the confirmation of a significant emergency or dangerous situation involving a threat to the health or safety of students or staff on campus, Northwestern Technological Institute will immediately notify all offices, classrooms and student areas simultaneously via the Institute's intercom alert system. Please note, a warning may be withheld if the warning jeopardizes or compromises efforts to contain the emergency.

Lockdown

To ensure that all students and staff are safe, secured and accounted for, the school may proceed to a lockdown status. Conditions for which a Lockdown status may be activated include:

- Someone has a gun/weapon in or on campus.
- Someone with a gun/weapon is en-route to the campus.
- Shots are heard on campus.
- ERT (Emergency Response Team) action.
- Law Enforcement action.
- The pursuit or search of a dangerous individual.

I. If the need arises for the school to proceed into a "lockdown" status, the School Director (or designee) will contact 911, and announce the lockdown over the intercom alert system.

II. Once activated, all students and faculty are to immediately report to the nearest available classroom and staff are to seek the closest office available. Do not attempt to evacuate the building unless instructed to do so.

III. For safety, all individuals are to be directed away from doors and windows. If possible, close and lock all doors and windows and turn off all lights in the immediate area. Once on lockdown, no one is to leave their secured area for any reason. A lockdown may only be cleared by the School Director, or the designated back-up if serving in that role, who will announce over the intercom alert system when all is clear.

Fire Emergency

In the event of a fire emergency:

- Manually activate the building's fire alarm system by pulling down the arm of the alarm, which is automatically responded to by the City of Southfield Fire Department
- Follow the Emergency Response Team's directions.
- Close all doors and windows in your immediate area, if possible.
- Evacuate the building. Do not use the elevators.
- If you are caught up in smoke, drop to your knees land crawl to the nearest exit. If possible, use a wet shirt or towel to cover your mouth and nose.
- Report to the main entrance of the parking lot for a head count by faculty.

Fire extinguishers are located throughout the building and may be used to contain a small fire. If you decide to use a fire extinguisher, place yourself between the fire and your exit from the area. To use a fire extinguisher, follow the P.A.S.S. method:

Pull the pin to break the tamper seal.

Aim low and point the extinguisher nozzle at the base of the fire.

Squeeze the handle to release the extinguisher foam.

Sweep from side to side of the fire with the extinguisher until the fire is out.

Weather Emergency

In the case of a weather emergency (including, but not limited to an approaching tornado, or other extreme weather conditions):

- If possible, secure and store hazardous material such as propane and gasoline accordingly.
- Evacuate to the 1st floor lobby of the building for safety and a head count.
- Do not use the elevators.
- Stay away from windows and glass.
- Follow the Emergency Response Team's directions.

Tornado Watch: A tornado(s) is possibly in the area.

Tornado Warning: A tornado has been spotted or is imminent in the area.

Thunderstorm Watch: Severe weather is possibly in the area.

Thunderstorm Warning: Severe weather is imminent in the area.

Tornado Emergency Procedure

In the event of a tornado warning, the City of Southfield will sound the alarm, followed by the School Director's announcement to ERT members to execute Tornado Emergency Procedures. In the event of a tornado warning, please refer to these procedures for everyone's safety and security:

- All those located on the first floor are to utilize the School Library, Student Lounge, and first floor hallways in the event of a tornado emergency. In the event that more space is needed, the first floor bathrooms and lobby may be used.
- All those located on the second floor are to take the stairs to the first floor and utilize the School Library, Student Lounge, and first floor hallways in the event of a tornado emergency. In the event that more space is needed, the first floor bathrooms and lobby may be used.
- All those located on the third floor are to take the stairs to the first floor and utilize the School Library, Student Lounge, and first floor hallways in the event of a tornado emergency. In the event that more space is needed, the first floor bathrooms and lobby may be used.
- All staff are to secure doors and windows after leading those to safety. Students will be instructed to sit facing forward in a crouched position holding their heads down for proper safety until the threat has passed. The School Director will then announce when it is safe for staff and students to return to their designated areas.

Medical Emergency

If a medical emergency arises (including, but not limited to outbreak of meningitis, norovirus, or other serious illness):

- Call 911.
- Do not move the individual unless there is an immediate threat to life or if it is necessary to provide assistance.
- Follow the Emergency Response Team's directions.

- If the medical emergency is on the scale of an illness outbreak that would require notification of the Oakland County Health department, they will be notified by the School Director or designee.

Note: These same procedures are to be followed in the event of a medical emergency of an individual, employee or student (ie. heart attack, seizure, or any other similar medical emergency that would not require emergency notification of the campus community.

Gas Leak or Hazardous Chemical Situation Nearby

In the event of a gas leak or hazardous chemical situation nearby:

- Follow the Emergency Response Team's directions.
- If a leak or situation is located outside of the building, close and seal off all doors and windows.
- If a leak is located inside of the building, evacuate the building.
- If it is determined first responders are necessary, the fire alarm will be activated, and the City of Southfield Fire Department will respond automatically.

Bomb Threat

If a bomb threat is received:

- Call 911.
- Follow the Emergency Response Team's directions for safety and possible evacuation procedures.
- Do not attempt to approach, move or disarm the potential bomb.

4. Situations that Would Not Require Emergency Notification

Power Outage

In the event of a power outage:

- Follow the Emergency Response Team's directions.
- Unplug any and all electrical equipment.
- Do not light candles or use items that have a flame for lighting.
- If possible, secure and store hazardous materials such as propane and gasoline accordingly.

Snow Closure

In the event of a snow closure:

- Status of classes will be made available to students via the school's text messaging service.
- Students may tune in to the following TV and radio stations for class status information: WJBK-Fox 2, WDIV-Channel 4, WXYZ- Channel 7, WKBD (CW50), WWJ News Radio 950, and WJR 760

5. Emergency Response Contact Information

To report any police, fire, or medical emergency, dial 911.

Poison Control)

(800) 222-1222

Southfield Fire Department

2600 Evergreen
Southfield, MI 48076
(248) 796-5650

Southfield Police Department

2600 Evergreen
Southfield, MI 48076
(248) 796-5500

6. Instructions for Using Classroom Phones

Calling 911 Emergency

Classroom phones are equipped to dial out only to 911 Emergency if needed. Once a dial tone is heard, dial 911.

Northwestern Technological Institute
Sexual Harassment Policy & Grievance Procedures

Campus Sexual Violence Elimination Act

The Campus Sexual Violence Elimination Act, or Campus SaVE Act (SaVE), is a 2013 amendment to the federal Jeanne Clery Act. SaVE was designed by advocates along with victims/survivors and championed by a bi-partisan coalition in Congress as a companion to Title IX, to help bolster the response and prevention of sexual violence in higher education. President Obama signed the measure into law as part of the Violence Against Women Reauthorization Act of 2013 on March 7, 2013.

SaVE requires colleges and universities, both public and private, participating in federal student aid programs to increase transparency about the scope of sexual violence on campus, guarantee victims enhanced rights, provide for standards in institutional conduct proceedings, and provide campus community wide prevention educational programming. In addition, SaVE requires schools to educate students, staff, and faculty on the prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. Northwestern Technological Institute strictly prohibits all offenses of sexual misconduct, including sexual assault, domestic violence, dating violence, and stalking and attempts to protect members of the school community, including visitors, from such offenses. This policy applies to all students, staff, and faculty, regardless of sexual orientation or gender identity. Northwestern Technological Institute offers any student, faculty or staff member who survives a sexual assault that occurs within the context of the school community the support necessary to enable them to continue to pursue their academic or career goals. In addition, Northwestern Technological Institute has support staff available to assist victims in notifying appropriate law enforcement authorities regarding such crimes, if so requested by the victim.

Title IX

Title IX is a federal civil rights law passed as part of the Education Amendments of 1972, designed to eliminate discrimination on the basis of sex in any education program or activity receiving federal financial assistance, whether or not such program or activity is offered or sponsored by an educational institution. The U.S. Department of Education's Office for Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX states that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Title IX applies to any institution receiving federal financial assistance from the Department of Education, including state and local educational agencies. Educational programs and activities that receive federal funds from the Department of Education must operate in a nondiscriminatory manner. Also, a recipient may not retaliate against any person for opposing an unlawful educational practice or policy, or because a person made charges, testified, or participated in any complaint action under Title IX.

Title IX at Northwestern Technological Institute

Consistent with Title IX of the Education Amendments of 1972, Northwestern Technological Institute does not discriminate on the basis of sex in its educational, extracurricular, or other programs or in the context of employment.
sexual harassment includes:

- An employee of the recipient conditioning the provision of aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, an objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- "sexual assault", "dating violence," "domestic violence," or "stalking" as defined for VAWA (Violence Against Women Act)

Northwestern Technological Institute is committed to ensuring a safe campus climate for all our students, staff, and faculty. Any student who believes he/she has, or is being subjected to discrimination or sexual harassment, or has questions or concerns regarding possible sexual harassment, should contact our Title IX Coordinator immediately at:

Northwestern Technological Institute
School Director/Title IX Coordinator: **Lorne Gauthier**
24800 Northwestern Highway
Southfield, MI 48075
Lgauthier@northwesterntech.edu
(248) 358-4006
It is the goal of Northwestern Technological Institute to respond promptly and with supportive measures, to any student, staff, or faculty member believed to be a victim of sexual harassment, and to resolve allegations of sexual harassment promptly and accurately under a fair grievance process that provides due process protections to alleged victims and alleged perpetrators of sexual harassment, and effectively implement outcomes for the victim(s).

Once the Institute has actual knowledge of conduct that reasonably may constitute sexual harassment in its education program or activity, it will respond promptly and in a manner that is not deliberately indifferent, regardless of receipt of a formal complaint. The Title IX Coordinator will take the following actions upon being notified of conduct that reasonably may constitute sexual harassment:

- Treat the complainant and respondent equitably by offering supportive measures to a complainant, and by following a grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent;
- Promptly contact the complainant to discuss the availability of supportive measures;
- Consider the complainant's wishes with respect to supportive measures;
- Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint;
- Explain to the complainant the process for filing a formal complaint; and
- If a formal complaint is filed, please see "Formal Process" below.

The Institute presumes that the respondent is not responsible for the alleged sexual harassment unless and until a determination of responsibility is made at the conclusion of its grievance procedures.

The Institute's Title IX Coordinator oversees the Institute's investigation, response to, and resolution of all reports of prohibited sexual harassment, and of related retaliation, involving students, faculty, and staff. In response to a formal complaint, the Title IX Coordinator will initiate the grievance procedures under this Policy, or the informal resolution process described below if appropriate and requested by all parties.

Supportive Measures
The Institute's Title IX Coordinator will work with all students affected by sexual harassment to ensure their safety and support their wellbeing. This assistance may include providing supportive measures to support or protect a student after an incident of sexual harassment and while an investigation or disciplinary proceeding is pending. "Supportive measures" are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the Institute's education program or activity, including measures designed to protect the safety of all parties or the Institute's educational environment, or deter sexual harassment.

Supportive measures may include:
- counseling,
- extensions of deadlines or other course-related adjustments,
- modifications of work or class schedules,
- campus escort services,
- mutual restrictions on contact between the parties,
- changes in work or housing locations,
- leaves of absence,
- increased security and monitoring of certain areas of the campus, and
- other similar measures.

The Institute will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the Institute to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The measures needed by each student may change over time, and the Title IX Coordinator will communicate with each student throughout any investigation to ensure that any supportive measures are necessary and effective based on the students' evolving needs. Students who report an incident of sexual harassment may also be able to obtain a formal protection order from a civil or criminal court. The Institute will work with the student and the applicable court to assist in the enforcement of any such protective orders.

Support Services Available

Counseling, advocacy and support services are available for complainants, whether or not a complainant chooses to make an official report or participate in the Institute's disciplinary or criminal process. ***Northwestern Technological Institute does not provide counseling or health care services.***

Sexual harassment crisis and counseling options are available locally and nationally through a number of agencies, including:

Local Hotlines

Maplegrove Substance Abuse Treatment Center - (248) 661-6100
Michigan Sexual Assault and Abuse Hotline – (855) VOICES4
Michigan 988 Suicide and Crisis Lifeline - 988

National Hotlines

National Center on Drug Abuse Hotline- 1-800-622-HELP (4357)
National Domestic Violence Hotline- 1-800-799-SAFE (7223) or TTY 1-800-787-3224
National Family Violence Hotline (800) 996-6228
Rape Abuse and Incest National Network - 1-800-656-HOPE (4673) or www.rainn.org
National Suicide Prevention Hotline-1-800-273-TALK (8255)

Procedures to Follow if a Sexual Offense has Occurred/How to File a Disciplinary Complaint

If you are a victim of sexual harassment at Northwestern Technological Institute, your first priority should be to get to a place of safety. Medical attention and/or treatment should then be obtained as quickly as possible following the incident. Any individual, student, staff, or faculty member, who wishes to file a complaint of sexual harassment should fill out a Title IX Complaint Form directly with the School Director (Title IX Coordinator) at (248) 358-4006, and/or contact local law enforcement authorities. If a student chooses, our School Director (Title IX Coordinator) will assist the student in notifying the proper law enforcement authorities. Because of the importance of preserving evidence in order to provide proof of criminal domestic violence, dating violence, sexual assault, or stalking, or for obtaining a protection order, students should contact either our School Director (Title IX Coordinator) or the proper law enforcement as soon as possible after the incident (Please see information on Preserving Evidence after a Sexual Assault.).

An incident of sexual harassment may be reported to the Institute's Title IX Coordinator or to the Campus Director. No other Institute officials or employees have the authority to institute corrective measures under these Policies and Procedures on behalf of the Institute. The Institute will not be deemed to have actual knowledge of alleged sexual harassment unless the Institute's Title IX Coordinator or Campus Director possess such knowledge. Reports of sexual harassment to Institute officials or employees other than the Title IX Coordinator or the Campus Director will not confer actual knowledge to the Institute of such allegations, unless the Title IX Coordinator or Campus Director subsequently obtain such actual knowledge.

If the Institute's Title IX Coordinator is the alleged perpetrator of the sexual harassment, the report should be submitted to the Institute's Campus Director and vice versa. Filing a report with an Institute official will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed in Section 6 for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator or the Campus Director receiving the person's verbal or written report. Such a report may be made at any time (including

during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

While there is no time limit for reporting, reports of sex discrimination or harassment should be brought forward as soon as possible. All incidents should be reported even if significant time has elapsed, but prompt reporting will better enable the Institute to respond, investigate, provide an appropriate remedy, and impose discipline if appropriate. Note that if a complainant seeks to file a formal complaint for the Institute to initiate an investigation into allegations of sexual harassment, the complainant must be participating in or attempting to participate in the Institute's education programs or activities at the time of filing such formal complaint. The Institute is committed to supporting the rights of a person reporting an incident of sexual harassment to make an informed choice among options and services available.

The Institute will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any harassment, prevent its recurrence, and address its effects.

If the respondent is identified in a formal complaint and as a Northwestern Technological Institute student, the President/CEO will determine the appropriate course of action in accordance with Title IX regulations and the Student Conduct Policy and Procedures. The Institute may remove a respondent from the Institute's education programs or activities on an emergency basis, provided that the Institute (1) undertakes an individualized safety and risk analysis, (2) determines that an imminent and serious threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and (3) provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

If the respondent is a Northwestern Technological Institute employee, the President/CEO will determine the appropriate course of action in accordance with Title IX regulations. The Institute may place a non-student employee respondent on administrative leave during the pendency of a grievance process. Potential sanctions may include administrative leave and/or termination of employment.

Grievance Process; Implementation and Disclosure of Procedures for Institutional Disciplinary Action in Cases of Alleged Sexual Harassment

Northwestern Technological Institute will do its best to provide a prompt, fair, and impartial investigation, and resolution on all possible known violations of school policies, including but not limited to, Disciplinary Proceedings, on all cases of alleged sexual harassment. Upon receipt of a formal complaint, the Institute must initiate its formal process to determine whether respondent is responsible for sexual harassment in violation of the Institute's code of conduct. If there is no formal complaint made, and the Institute has actual knowledge of the sexual harassment, upon claimant's and respondent's voluntary written consent, the Institute may initiate an informal resolution process.

Third-Party and Anonymous Reporting

In cases where sexual harassment is reported to the Title IX Coordinator by someone other than the complainant (by an instructor, classmate, or friend, for example), the Title IX Coordinator will promptly notify the complainant that a report has been received. This Policy and the Procedures will apply in the same manner as if the complainant had made the initial report. The Title IX Coordinator will make every effort to meet with the complainant to discuss available options and resources. Reports from an anonymous source will be treated in a similar fashion.

Coordination With Drug Free School Policy

Students may be reluctant to report instances of sexual harassment because they fear being disciplined pursuant to the Institute's alcohol or drug policies. The Institute encourages students to report all instances of sexual harassment and will take into consideration the importance of reporting sexual harassment in addressing violations of the Institute's alcohol and drug policies. This means that, whenever possible, the Institute will respond educationally rather than punitively to student alcohol or drug policy violations associated with reported sexual harassment.

Policy on Confidentiality

The Institute encourages victims of sexual harassment to talk to somebody about what happened – so victims can get the support they need, and so the Institute can respond appropriately.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual harassment. The Institute encourages victims to talk to someone identified in one or more of these groups.

Privileged and Confidential Communications – Professional & Pastoral Counselors

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. *The Institute does not provide professional or pastoral counseling but can assist a victim of sexual harassment in obtaining support services from these groups or agencies*.

NOTE: While these professional and pastoral counselors and advocates may maintain a victim's confidentiality vis-à-vis the Institute, they may have reporting or other obligations under state law.

ALSO NOTE: If the Institute determines that the alleged perpetrator(s) pose a serious and immediate threat to the Institute community, the Institute's Campus Director may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

Reporting to a Designated Institute Official

A "designated Institute official" is an Institute employee who has the authority to initiate corrective measures on behalf of the Institute upon actual notice of sexual harassment.

A designated Institute official will report to the Title IX coordinator all relevant details about the alleged sexual harassment shared by the complainant – including the names of the complainant and respondent, any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a designated Institute official will be shared only with people responsible for handling the Institute's response to the report. Designated Institute officials should not share information with law enforcement without the complainant's consent or unless the complainant has also reported the incident to law enforcement.

In addition to the Title IX Coordinator, the Institute's designated Institute official include the Institute's Assistant to the School Director.

Before a complainant reveals any information to a designated Institute official, the official should ensure that the complainant understands the official's reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources.

If the complainant wants to tell the designated Institute official what happened but also maintain confidentiality, the official should tell the complainant that the Institute will consider the request but cannot guarantee that the Institute will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the official will also inform the Assistant to the School Director of the complainant's request for confidentiality.

Designated Institute officials will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for the Institute to fully investigate an incident. By the same token, designated Institute officials will not pressure a complainant to make a formal complaint and initiate an Institute investigation if the complainant is not ready to do so.

A complainant who at first requests confidentiality may later decide to file a formal complaint with the Institute or report the incident to local law enforcement, and thus have the incident fully investigated.

Reporting to Title IX Coordinator

To the extent possible, information reported to the Title IX Coordinator will be shared only with people responsible for handling the Institute's response to the report. The Title IX Coordinator should not share information with law enforcement without the complainant's consent or unless the complainant has also reported the incident to law enforcement.

Before a complainant reveals any information to the Title IX Coordinator, the Coordinator should ensure that the complainant understands the Coordinator's reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources. If the complainant wants to tell the Title IX Coordinator what happened but also maintain confidentiality, the Coordinator should tell the complainant that the Institute will consider the request but cannot guarantee that the Institute will be able to honor it.

The Title IX Coordinator will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for the Institute to fully investigate an incident. By the same token, the Title IX Coordinator will not pressure a complainant to make a formal complaint and initiate an Institute investigation if the complainant is not ready to do so.

Requesting Confidentiality: How the Institute Will Weigh the Request and Respond.

If a complainant discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the Institute must weigh that request against the Institute's obligation to provide a safe, non-discriminatory environment for all students, including the complainant.

If the Institute honors the request for confidentiality, a complainant must understand that the Institute's ability to investigate the incident and pursue disciplinary action against the respondent will be limited. A complainant may provide the Title IX Coordinator with confidential knowledge of alleged sexual harassment and receive supportive measures from the Institute without the complainant filing a formal complaint and initiating an investigation. Although rare, there are times when the Institute may not be able to honor a complainant's request in order to provide a safe, non-discriminatory environment for all students.

The Title IX Coordinator will evaluate requests for confidentiality. When weighing a complainant's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the respondent will commit additional acts of sexual harassment or other violence, such as:
    - whether there have been other sexual harassment complaints about the same respondent;
    - whether the respondent has a history of arrests or records from a prior Institute indicating a history of violence;
    - whether the respondent threatened further sexual harassment or other violence against the complainant or others;
    - whether the sexual harassment was committed by multiple respondents;
- Whether the sexual harassment was perpetrated with a weapon;
- Whether the complainant is a minor;
- Whether the Institute possesses other means to obtain relevant evidence of the sexual harassment (e.g., security cameras or personnel, physical evidence);
- Whether the complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the Title IX Coordinator to file a formal complaint to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the Institute will likely respect the complainant's request for confidentiality.

If the Institute determines that it cannot maintain a complainant's confidentiality, the Institute will inform the complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the Institute's response. The Institute will remain ever mindful of the complainant's well-being, and will take ongoing steps to protect the complainant from retaliation or harm and work with the complainant to create a safety plan. Retaliation against the complainant, whether by students or Institute employees, will not be tolerated. The Institute will also:

- assist the complainant in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance;
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of course schedules (including for the respondent pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the complainant of the right to report a crime to local law enforcement – and provide the complainant with assistance if the complainant wishes to do so.

The Institute may not require a complainant to participate in any investigation or disciplinary proceeding.

Because the Institute is under a continuing obligation to address the issue of sexual harassment campus-wide, reports of sexual harassment (including non-identifying reports) will also prompt the Institute to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual harassment occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/ victimization surveys; and/or revisiting its policies and practices.

If the Institute determines that it can respect a complainant's request for confidentiality, the Institute will also take action as necessary to protect and assist the complainant. This includes the Title IX Coordinator promptly contacting the complainant to discuss the availability of supportive measures. A complainant's request for confidentiality will limit the Institute's ability to investigate a particular matter. The Institute may take steps to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating formal action against the respondent or revealing the identity of the student complainant. Examples include: providing increased monitoring, supervision, or security at locations or activities where the harassment occurred; providing training and education materials

for students and employees; revising and publicizing the Institute's policies on sexual harassment; and conducting climate surveys regarding sexual harassment.

Off-campus Counselors and Advocates. Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the Institute unless the complainant requests the disclosure and signs a consent or waiver form.

FORMAL PROCESS

Formal Complaint Investigation Procedures and Protocols

The Institute will investigate all formal complaints of sexual harassment. A formal complaint must be in writing filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the Institute investigate the allegation of sexual harassment. A formal complaint form may be obtained from the Title IX Coordinator, although no particular form is required to submit a formal complaint so long as the complaint is in writing, signed by a complainant, alleges sexual harassment against a respondent, and requests an investigation. The Institute's Title IX Coordinator oversees the Institute's investigation, response to, and resolution of all reports of prohibited sexual harassment, and of related retaliation, involving students, faculty, and staff.

As soon as practicable after receiving a formal complaint, the Title IX Coordinator will make an initial assessment of the formal complaint to determine whether the formal complaint, on its face, alleges an act prohibited by this Policy. If the Title IX Coordinator determines the formal complaint states facts which, if true, could constitute sexual harassment in violation of this Policy, the Title IX Coordinator will proceed through the formal investigation process (see below). If the Title IX Coordinator determines the complainant's report does not state facts that, if true, could constitute a violation of this Policy, the Title IX Coordinator will communicate this determination in writing to the complainant. In such circumstances the complainant may still file a report with the federal Office for Civil Rights, the police, or seek available civil remedies through the judicial system. The complainant may also re-file the report with the Institute upon discovery of additional facts.

The Institute will dismiss a formal complaint if the conduct alleged in the formal complaint would not constitute sexual harassment under Title IX even if proved, did not occur in the Institute's education program or activity, or did not occur against a person in the United States. ***Such dismissal does not preclude action under another provision of the Institute's code of conduct***. The Institute may dismiss the formal complaint if a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint; the respondent is no longer enrolled or employed by the Institute; or specific circumstances prevent the Institute from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The Institute will promptly send written notice of the dismissal and reasons therefor simultaneously to the parties.

Notice

Upon receipt of a formal complaint, the Institute will provide written notice of the Institute's grievance process to the parties who are known. The Institute will also provide the parties with notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence that is submitted to and/or collected by the Institute in connection with the investigation. The written notice will also inform the parties of any provision in the Institute's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the Institute decides to investigate allegations about the complainant or respondent that are not included in a prior notice provided to the parties, the Institute will provide notice of the additional allegations to the parties whose identities are known.

Voluntary Resolution

Voluntary resolution, when selected by all parties and deemed appropriate by the Title IX Coordinator, is a path designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the safety and welfare of the Institute community. If all parties voluntarily agree to participate in an informal resolution that does not involve a full investigation and adjudication after receiving notice of a formal complaint and if the Institute determines that the particular formal complaint is appropriate for such a process, the Institute will facilitate an informal resolution to assist the parties in reaching a voluntary resolution. The Institute retains the discretion to determine which cases are appropriate for voluntary resolution.

Voluntary resolution may include: conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the harassment occurred; facilitating a meeting with the respondent with the complainant present; and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy.

Voluntary resolution may also include restorative principles that are designed to allow a respondent to accept responsibility for harassment and acknowledge harm to the complainant or to the Institute community. Restorative models will be used only with the consent of both parties and following a determination by the Title IX Coordinator that the matter is appropriate for a restorative approach.

The Institute will not compel parties to engage in mediation or to participate in any particular form of informal resolution. As the title implies, participation in voluntary resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation and adjudication at any time, including if voluntary resolution is unsuccessful at resolving the complaint.

In connection with any informal resolution process, the Institute will provide written notice to the parties disclosing the allegations and the requirements of the informal resolution process. The Institute will notify the parties that any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. The Institute must obtain the parties' voluntary, written consent to the informal resolution process. The informal resolution process may not be utilized to resolve allegations that a Institute employee sexually harassed a student.

The time frame for completion of voluntary resolution may vary, but the Institute will seek to complete the process within 15 days of all the parties' request for voluntary resolution.

Formal Investigation Process

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the Institute and not on the parties. The Title IX Coordinator is responsible for the investigation of a formal complaint. The Title IX Coordinator may designate a specially trained investigator (or team of investigators) to conduct the investigation.

The Institute's process for responding to, investigating and adjudicating sexual harassment reports will continue during any law enforcement proceeding. The investigator may need to temporarily delay an investigation while the police are gathering evidence but will resume the investigation after learning that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.

The investigator will interview the complainant, respondent and any witnesses. They will also gather pertinent documentary materials (if any) and other information. The Institute will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. Each party shall have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The Institute will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

Time Frame for Investigation

Consistent with the goal to maximize educational opportunities and minimize the disruptive nature of the investigation and resolution, the Title IX Coordinator seeks to resolve all reports in a timely manner. In general, an investigation may last up to 30 days, from receipt of a formal complaint from the complainant or the Title IX Coordinator of the request to proceed with an investigation. Adjudication will generally take up to 30 days from the date the investigative report is provided to both the complainant and the respondent. The Title IX Coordinator may set reasonable time frames for required actions under the Policy. Those time frames may be extended for good cause as necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, accommodate absences or delays by the parties, the need for language assistance or accommodation of disabilities, account for Institute breaks or vacations, or address other legitimate reasons, including the complexity of the investigation (including the number of witnesses and volume of information provided by the parties) and the severity and extent of the alleged conduct. Any extension of the timeframes, and the reason for the extension, will be shared simultaneously with the parties in writing. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

Where necessary, the Institute will take prompt steps to protect complainants pending the final outcome of an investigation, including the provision of supportive measures to the complainant and/or the respondent. The Institute may remove a respondent from the Institute's education programs or activities on an emergency basis, provided that the Institute undertakes an individualized safety and

risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. The Institute may place a non-student employee respondent on administrative leave during the pendency of a grievance process.

The Institute will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the Institute does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the Institute will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The Institute will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination

Investigation Report

The investigator will prepare an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. Such report will include a statement of the allegations and issues, the positions of the complainant and respondent, a summary of the evidence (including from interviews and documentation gathered), an explanation why any proffered evidence was not investigated, assessment of individual credibility, and findings of fact and an analysis of whether a violation of the Policy has occurred. The investigator will use "preponderance of the evidence" as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that the investigator must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Policy. The complainant and respondent will be simultaneously notified of the completion of the investigation and provided with the investigator's report.

9. Grievance/Adjudication Procedures

Hearing Panel

The Institute will convene a hearing panel following the end of the investigation. The hearing panel determines whether the respondent is responsible or not responsible for a violation of the Policy.

The hearing panel will consist of one to three members as determined by the Title IX Coordinator. The Title IX Coordinator will designate the members of the hearing panel but will not serve as a panel member. The investigator responsible for the Institute's investigation of the formal complaint may not serve as a panel member. The hearing panel members may include administrators, officers, lawyers or other individuals with relevant experience and special training. Panel members may participate remotely so long as the Institute utilizes technology enabling the panel members and parties to simultaneously see and hear the party or witness answering questions. All panelists will receive training from experts in the field at least once a year. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual harassment. The complainant and respondent will be informed of the panel's membership before the hearing process begins. A complainant and/or respondent may challenge the participation of a panel member because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made to the Title IX Coordinator at least three days prior to the commencement of the hearing. At its discretion, the Title IX Coordinator will determine whether such a conflict of interest exists and whether a panel member should be replaced. Postponement of a hearing may occur if a replacement panelist cannot be immediately identified.

Advisors

Both the complainant and the respondent are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual harassment by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled.

Written Submissions

Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each of the complainant and respondent will have the opportunity to review any written

submissions by the other. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submissions.

Hearing Procedures

The Title IX Coordinator will give the complainant and respondent at least 10 days' advance notice of the hearing. The Title IX Coordinator may arrange to hold the hearing at an off-campus location. The hearing is a closed proceeding, meaning that no one other than the panel members, the complainant and respondent, their respective advisors, witnesses (when called), and necessary Institute personnel may be present during the proceeding. The Institute President will work with Institute staff so that any student whose presence is required may participate in the hearing.

In general, hearings will proceed as follows:

- The Title IX Coordinator may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with the Policy and these Procedures. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and respondent are not able to be present for the hearing panel, arrangements will be made for participation virtually, with technology enabling the participants simultaneously to see and hear each other.
- In cases where either the complainant or respondent opts not to participate in the hearing, the panel may still hear from the other.
- Additional hearing rules include:
    - Cross Examination. At the hearing, the hearing panel shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
    - At the request of either party, the Institute will provide for the hearing to occur with the parties located in separate rooms with technology enabling the hearing panel members and parties to simultaneously see and hear the party or the witness answering questions.
    - Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the hearing panel must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
    - If a party does not have an advisor present at the live hearing, the Institute will provide without fee or charge to that party, an advisor of the Institute's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
    - Information Regarding Romantic or Sexual History. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged sexual harassment.
    - Prior Conduct Violations. The hearing panel will not consider the respondent's prior conduct violations, unless the investigator provided that information to the hearing panel because the respondent was previously found to be responsible, and the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.
    - The hearing panel may consider statements made by parties or witnesses, even if those parties or witnesses do not participate in cross-examination at the live hearing, in reaching a determination regarding responsibility.
    - The Institute will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
    - Live hearings may be conducted with all parties physically present in the same geographic location or, at the Institute's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

The Institute will create an audio or audiovisual recording, or transcript, of any hearing and make it available to the parties for inspection and review. The panelists may request a copy or transcript of the recording. Cell phones and recording devices may not be used in the hearing room(s) unless approved by the panel in advance.

Panel Determinations/Standard of Proof

The hearing panel will issue a written determination regarding responsibility. The panel will use "preponderance of the evidence" as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that a panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Policy. The panel will find a student responsible, or not responsible, based on a majority vote. The panel will generally render a written determination within 10 days after the conclusion of a hearing.

The panel's written determination will include:

a) Identification of the allegations potentially constituting sexual harassment;
b) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
c) Findings of fact supporting the determination;
d) Conclusions regarding the application of the Institute's code of conduct to the facts;
e) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the Institute imposes on the respondent, and whether remedies designed to restore or preserve equal access to the Institute's education program or activity will be provided by the Institute to the complainant; and
f) The Institute's procedures and permissible bases for the complainant and respondent to appeal.

The parties will be informed of the results of the adjudication hearing by simultaneous written notice to both parties of the outcome of the formal complaint. The determination regarding responsibility becomes final either on the date that the Institute provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Appeals

Northwestern Technological Institute will consider an appeal from either party regarding determination of responsibility, and/or from the Institution's dismissal of a formal complaint or allegations therein, on the following basis:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The School Director (Title IX Coordinator), investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

Remedies/Sanctions

Northwestern Technological Institute will utilize sanctions as the penalty for those individuals found to have violated school rules and regulations policies, including sexual harassment and all VAWA policies (alleged dating violence, domestic violence, sexual assault or stalking). The severity of the sanctions imposed will be decided at the discretion of the decisionmaker.

Possible Student Sanctions for Informal/Formal Complaint Proceedings

- Verbal or written warning
- Leave of absence (length to be determined at the end of the proceeding)
- Reassignment or transfer of school schedule
- Dismissal from school

Possible Employee Sanctions for Informal/Formal Complaint Proceedings

- Verbal or written warning
- Temporary or permanent transfer to a different position
- Probation
- Termination from employment

In addition to any other sanction (except where the sanction is dismissal from school), the Institute may require any student determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the sexual harassment violation at issue. The Institute may also recommend counseling or other support services for the student.

Whatever the outcome of the hearing process, a complainant may request ongoing or additional supportive measures and the Title IX Coordinator will determine whether such supportive measures are appropriate. Potential ongoing supportive measures include:

- Providing an escort for the complainant
- Changing the complainant's academic schedule
- Allowing the complainant to withdraw from or retake a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or re-take a class

The Institute may also determine that additional measures are appropriate to respond to the effects of the incident on the Institute community. Additional responses for the benefit of the Institute community may include:

- Increased monitoring, supervision, or security at locations or activities where the harassment occurred
- Additional training and educational materials for students and employees
- Revision of the Institute's policies relating to sexual harassment
- Climate surveys regarding sexual harassment

Protections against Retaliation

Retaliation against an individual for reporting discrimination or harassment or assisting in providing information relevant to a claim of discrimination or harassment is a serious violation of Northwestern Technological Institute's policy and is strictly prohibited. No person or the Institution may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the individual has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. The Institution must keep confidential (except as otherwise noted in Title IX regulations), the identity of any individual who has made a report or complaint of sex discrimination, including any complaint, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and/or any witness. If an individual makes a false statement in bad faith during the course of a grievance proceeding, it does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

If the Institute concludes that any individual has attempted to intimidate, threaten, or take adverse actions against someone for bringing forward a good faith complaint of discrimination or harassment, the person found to have engaged in retaliatory conduct will be subject to appropriate disciplinary action, including but not limited to change in work assignment, disciplinary probation, mandatory training, suspension, and/or dismissal/termination from the Institute or program. Any concern of retaliation should be reported immediately to the School Director (Title IX Coordinator) and the Institute will promptly investigate.

Recordkeeping

In response to receipt of actual knowledge of sexual harassment, Northwestern Technological Institute will create, and maintain for a period of seven years, records of any actions including any supportive measures, taken in response to a report or complaint of sexual harassment. Furthermore, Northwestern Technological Institute will maintain, for a period of seven years, records of:

- Each sexual harassment investigation, including any determination regarding responsibility, and any audio or audiovisual recording or transcript required, any disciplinary sanctions imposed, and any remedies provided
- Any appeal and the result thereof
- Any informal resolution process and the result thereof
- All materials used to train the Title IX Coordinator, investigators, hearing panel members, decision-makers, and any person who facilitates an informal resolution process. The Institute will make these training materials publicly available on its website.

Additional Information

The Institute will illustrate how it will protect the confidentiality of complainants and other necessary parties, including how publicly available recordkeeping will be accomplished without the inclusion of identifying information about the complainant, to the extent permissible by law. In addition, Northwestern Technological Institute will maintain as confidential, any accommodations or protective measures provided to the complainant, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. Northwestern Technological Institute will provide information on how to obtain orders of protection, no-contact orders, restraining orders, or similar orders issued by a criminal, civil, or tribal court.

- All parties involved will be provided, in writing, of existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and around the community.

- Northwestern Technological Institute will provide written notification (if reasonably available), to complainants regarding options for available assistance in, and how to request changes to academic, living, working, or transportation situations, regardless of whether the complainant chooses to report the incident to the Institute or local law enforcement. Accommodations or protective measures are provided if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the incident to the Institute or local law enforcement.

- Following the final determination of an Institute Disciplinary Proceeding (Hearings), for those found to have violated VAWA related offenses such as domestic violence, dating violence, sexual assault or stalking, the Institute will impose sanctions such as termination from the program in the case of a student, and termination of employment in the case of an employee. If the alleged victim is deceased as a result of the crime or offense, the school must provide the results of the disciplinary hearing to the victim's next of kin, if so requested. Please note; nothing in the law shall be construed to permit a school to take retaliatory action against anyone with respect to the implementation of the "Jeanne Clery Campus Safety Act".

- Any student or employee who reports to the Institute that they have been a victim of one of the aforementioned crimes shall be provided with a written explanation of their rights and options, regardless of whether the crime took place on or off campus.

- All current students and employees will be made aware of incidents of sexual assault and other crimes via this Campus Crime Report publication, which is distributed to all employees in their employment packet and to students on their first day of classes. This report is updated annually and is distributed to both new and current students and employees.

Sexual Assault Prevention Programs/Reporting Procedures

Northwestern Technological Institute has established an ongoing primary prevention program for incoming students and new employees, to help prevent as well as promote awareness of dating violence, domestic violence, sexual assault and stalking as well as offer procedures to follow if an offense has occurred. Northwestern Technological Institute requires all new employees to complete on-line training when first hired as an effective primary prevention program and campaign. In addition, trained staff review training materials with incoming students during the time in which they complete their enrollment paperwork. Ongoing prevention and awareness campaigns for students and employees are programs sustained over time and focus on increasing understanding of topics relevant to and skills for addressing sexual harassment including dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

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

In effort to provide a safe environment for our students, staff, and faculty, Northwestern Technological Institute provides prevention and awareness programs (referenced above) to enhance awareness of sexual assault and the condition that fosters this offense on school campuses. Northwestern Technological Institute undertakes efforts to safeguard the rights and interests of the survivor and pursues sanctions against the perpetrator(s) of sexual assault. Any individual who has been sexually assaulted, including date or acquaintance rape, is strongly encouraged to report the incident to the local police (if off-campus), the School Director (Title IX Coordinator), as well as any civil authorities that an individual deems appropriate. Furthermore, Northwestern Technological Institute prohibits any and all retaliation by its faculty and staff against a person who exercises his or her rights or responsibilities under any provision of Title IX and/or the Campus SaVE Act.

Sex crimes, including but not limited to sexual assault, domestic violence, dating violence, and stalking, represent violations of criminal and civil law, and constitute a serious breach of student or employee conduct. All parties engaging in sexual activity must be based upon explicit consent among the parties. Verbal communications of non-consent, non-verbal acts of resistance or rejection, or mental impairment of the victim due to any cause including the victim's use of alcohol or drugs may constitute lack of consent. The use of alcohol or drugs will not be accepted as an explanation for the actions of any individual charged with a violation of this policy.

Educational Programs
In compliance with the SaVE Act requirements for primary prevention and awareness of these offenses, Northwestern Technological Institute has implemented an educational program for students, staff, and faculty to prevent and promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking which shall include primary prevention and awareness programs for incoming students and new employees, as well as ongoing prevention awareness programs for students and faculty, that includes, but is not limited to the following:

- Sexual Violence Prevention and Awareness Training (presented at time of student's enrollment with the School).
- Widespread distribution and publication of campus security information.
- Nationally recognized handouts available (School Library) on awareness and prevention of Sexual Violence.
- Training for School Officials on Title IX and Campus Sexual Violence.
- Distribution of the Institute's Sexual Harassment Policy and Grievance Procedures.

Campus Sex Crimes Prevention Act - Sex Offender Information
In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne *Clery Act* and the Family Educational Rights and Privacy Act of 1974, Northwestern Technological Institute is providing a link to the State of Michigan Sex Offender Registry. This act requires Institutions of higher education to provide a method whereby the campus community can obtain law enforcement information provided by the State concerning registered sex offenders. The Michigan State Police is responsible for maintaining this registry. Follow the link to access the Michigan State Police Website at http://www.michigan.gov/msp. Information is also available in the United States Department of Justice national sex offender registry at http://www.nsopw.gov.

Sexual Assault Policy & Procedures
It is Northwestern Technological Institute's policy that any form of sexual assault is strictly prohibited. The Institute will make all responsible efforts to maintain a campus environment free from sexual assault.

What is Sexual Assault?
The Campus SaVE Act defines Sexual Assault, as an offense classified as a forcible or non-forcible sex offense under the Uniform Crime Reporting (UCR) system of the Federal Bureau of Investigation. The State of Michigan defines Sexual Assault (often known as rape) as forcing or coercing an individual to engage in any non-consensual sexual contact or sexual penetration. In Michigan, the law regarding sexual assault is called the Criminal Sexual Conduct Act. It is gender neutral and includes marital, stranger, date, acquaintance, and child sexual assault.

There are four degrees of criminal sexual conduct. First and third degrees involve forced or coerced penetration. This can involve vaginal, anal or oral intercourse, or putting a finger or object in another person's genital or anal opening. The second and fourth degrees involve forced or coerced sexual contact. This includes touching the groin, genital area, inner thighs, buttocks, breasts or the clothing covering these parts.

How serious the crime is considered by the prosecutor depends on various factors such as: more than one assailant, a weapon, a physical injury other than sexual assault, extortion or the element of surprise. The charges of criminal sexual assault are viewed as more serious if the victim is under 13 years of age, from 13-15 years of the age and the assailant is a member of the family or in a position of authority over the victim, such as a teacher, counselor, clergy or doctor. Criminal sexual conduct does not require a witness other than the victim. It is also a crime if the assailant is your dating partner or spouse (www.michigan.gov/ok2say/student-resources/topics-for-students/dating-violence).

Sexual Harassment
Sexual harassment defined by the State of Michigan as the unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature under the following conditions (www.legislature.mi.gov):

- Submission to the conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.
- Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting the individual's employment, public accommodations or public services, education, or housing.

- The conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, public services, educational, or housing environment.

Domestic Violence
Domestic Violence is defined by the State of Michigan as the occurrence of any of the following acts by a person that is not an act of self-defense: causing or attempting to cause physical or mental harm to a family or household member; placing a family or household member in fear of physical or mental harm; causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress; and/or engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested (http://www.michigan.gov/mdhhs). Further, the act defines "family or household member" to include any of the following:

- A spouse or former spouse.
- An individual with whom the person has or has had a dating relationship.
- An individual with whom the person is or has engaged in a sexual relationship.
- An individual to whom the person is related or was formerly related by marriage.
- An individual with whom the person has a child in common.
- The minor child of an individual described in the above bullet points.

Dating Violence
Dating violence is a pattern of assaultive and controlling behaviors that one person uses against another in order to gain or maintain power and control in the relationship. The abuser intentionally behaves in ways that cause fear, degradation and humiliation to control the other person. Forms of abuse can be physical, sexual, emotional and psychological. Victims and abusers come from all social and economic backgrounds, faith communities, and racial and ethnic backgrounds. Abuse also occurs in same-sex relationships. Both females and males can be victims of dating violence, but numerous studies reveal the reality that the majority of victims are females (usually more than 95 percent). Victims are often referred to as females and abusers as male. That reference does not change the fact that every survivor -- male or female -- deserves support, options, resources and safety.

Abusers attempt to control their partners in a variety of ways. The following is a list of common controlling behaviors:

- **Isolation**: Trying to cut off the victim's relationship with family and friends; using jealousy to justify behavior.
- **Emotional**: Humiliating the victim in front of friends or making the victim feel guilty when she confronts the abuser about the abuse.
- **Intimidation**: Making the victim fearful by using threatening behavior, abuse of animals, verbal aggression or destruction of property.
- **Coercion**: Threatening to find someone else if the dating partner doesn't comply with the abuser's wishes or demands. Threats to harm self or others if the dating partner leaves.
- **Physical**: Using or threatening to use physically assaultive behaviors such as hitting, shoving, grabbing, slapping, beating, kicking, etc.
- **Sexual**: Touching or forcing the victim to engage in unwanted sexual activity.

At the beginning stages of the dating relationship, these behaviors may not be apparent or the use of them is so subtle that they may be mistaken for the abuser's caring and concern. For example, the abuser may suggest that the couple spend all their time together because when they are apart, they will miss each other. If the victim spends time with other friends, the abuser may appear to be sad or disappointed. As the relationship becomes more involved, the abuser may gradually escalate the use of these behaviors to include severe jealousy, which is not a sign of love as many in our society believe (www.michigan.gov/ok2say/student-resources/topics-for-students/dating-violence).

Stalking
Stalking is defined as 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 (Michigan Penal Code MCLA750.411 h). In this definition, "willful course of conduct" refers to a pattern of behavior made up of a series of two or more separate non-continuous acts which share the same purpose. The term harassed is defined as repeated or continuing unconsented contact directed toward a victim resulting in emotional distress https://www.michigan.gov/mdcs/employee-service-prog/data/tabs--employee-service-prog/resources/data/domestic-violence.

Definition of consent applicable to sexual conduct and the role of alcohol and drugs:
Currently, the State of Michigan does not provide a specific definition for the term "consent". The standard used in the sexual assault statutes is whether the accused used "force or coercion to accomplish the sexual [act]." (https://apps.rainn.org/policy/policy-crime-definitions-export.cfm?state=Michigan&group=9).

Communicating Consent:

- Consent to sexual activity can be communicated in a variety of ways, but one should presume that consent has not been given in the absence of a clear, positive agreement.
- While verbal consent is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sex helps to clarify consent. Communicating verbally before engaging in sexual activity is imperative. However potentially awkward it may seem, talking about your own and your partner's sexual desires, needs, and limitations provide a basis for a positive experience.
- Consent must be clear and unambiguous for each participant at every stage of a sexual encounter. The absence of "no" should not be understood to mean there is consent.
- A prior relationship does not indicate consent to future activity.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent can be withdrawn at any time.
- Silence or an absence of resistance does not imply consent.
- Coercion, force, or threat of either invalidates consent.

Alcohol and Drugs:

- A person who is asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, is not capable of giving valid consent.
- The use of alcohol or drugs may seriously interfere with the participants' judgment about whether consent has been sought and given.

In Michigan, the age of consent is 16, and people who engage in sexual activity with children who are underage may be convicted of statutory rape (also called criminal sexual conduct). Michigan's laws also prohibit teachers from engaging in sex with students 17 years of age and under. In statutory rape cases, the determinative fact is the age of the child. Even if the underage person pursues or agrees to the sexual relationship, the defendant can still face criminal conviction. Of course, people who commit sex acts against others without their consent can also be convicted of sexual assault or assault and battery.

Statutory Rape
Under Michigan's laws a person commits criminal sexual conduct in the third degree by engaging in sexual penetration (intercourse, oral or anal sex, or digital penetration) with:

- A child under the age of 16 but over the age of 13, or
- A child age 16 or 17 if the defendant is a teacher or school employee.

Any sexual activity (including, but not limited to sexual penetration) with a child under the age of 13 or with a child between the ages of 13 and 16 by an adult who is in the child's family or household or in a position of authority over the child is punished more severely, as first or second degree criminal sexual conduct (Mich. Comp. Laws Ann. §§ 750.520b, 750.520c, 750.520d.).

Other Sexual Conduct
It is a lesser crime (criminal sexual conduct in the fourth degree) to engage in sexual activity short of sexual penetration with:

- A child under the age of 16 but over the age of 13, when the defendant is at least five years older, or
- A child age 16 or 17 if the defendant is a teacher or school employee. (Mich. Comp. Laws Ann. §§ 750.520e.)

Child Enticement and Exploitation
In Michigan, people who lure or encourage children under the age of 16 to engage in any sexual conduct, commit the crime of child enticement, even if no sexual conduct ever results. A common scenario that results in enticement charges is a defendant who meets a

child online and arranges to visit the child for sex. Sexual exploitation" includes allowing, permitting, or encouraging a child to engage in prostitution, or allowing, permitting, encouraging, or engaging in the photographing, filming, or depicting of a child engaged in a listed sexual act as defined in section 145c of the Michigan penal code, 1931 PA 328, MCL 750.145c (www.legislature.mi.gov).

Risk Reduction to Recognize Warning Signs of Abusive Behavior
Risk reduction is defined as the options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Northwestern Technological Institute has made available to its student body, staff, and faculty, reading material on recognizing the warning signs of abusive behavior as well as information on how to avoid potential attacks. This material is located in the Student Library.

Suggestions to Reduce Risk – On and Off Campus:

- Drink responsibly or not at all.
- Remain Drug-Free.
- Strength in numbers: Have a preplanned signal to let your friend know that you want to leave or if you need help.
- Know your limits. It's never too late to say "no". Never be embarrassed or ashamed to say "no" or ask someone to stop.
- Verbalize your expectations and be up front. A potentially embarrassing conversation could save you from a traumatic situation.
- Trust your gut instinct and guard your personal space. If someone makes you uncomfortable, remove yourself from the situation.
- Believe in yourself. You are in charge of your body and you can say "NO".
- End the night early if your date becomes drunk or abusive. No one deserves physical or emotional abuse.

Importance of Preserving Evidence after a Sexual Assault
Evidence of a sexual assault should be preserved as soon as possible after the incident, even if the reporting student is unsure about reporting a or filing criminal charges.

- A Sexual Assault Forensic Examination (SAFE) will preserve evidence and may be done up to 72 hours after an assault.
- A SAFE may be done regardless of whether or not the student receiving the examination wants to pursue criminal charges.
- The student does not need to provide his/her name to police to have the exam and for the evidence to be preserved.
- Preserving evidence, including from a SAFE, does not obligate the student to pursue criminal charges or appear in court.
- Steps to preserve evidence:
    - Do not bathe, shower or douche
    - Try not to urinate. Urinating may reduce the ability to detect “date rape” drugs
    - If there was oral contact, do not smoke, eat, or brush teeth
    - Do not change clothes. If you have already changed your clothes, place them in a paper bag (plastic may destroy evidence) If you haven’t changed, keep the original clothes on and bring an extra set to wear home from the hospital
    - Do not clean the bed/linen
    - Go to a hospital with the ability of providing a SAFE exam. The cost of a SAFE examination is paid for from a state fund
    - Save text messages, instant messages, social networking pages, or other communications, and keep pictures, logs or other copies of documents

If a student is sexually assaulted, preserving any available evidence, including the results of a SAFE, blood tests for “date rape” drugs, and/or testing urine, allows the student to leave open the option of criminal prosecution in the future without obligating the student to take that step. Moreover, because some kinds of evidence may only be collected within a short period of time after an assault, delaying action to preserve evidence immediately after an assault may reduce the chances for a successful criminal prosecution in the future. After

a sexual assault, you may not feel like having a rape kit done or reporting the sexual assault to law enforcement. However, you may still wish to seek medical attention. A Rape Response Services advocate can accompany you to any medical appointment and will not pressure you to file a report to law enforcement or have a Sexual Assault Forensic Examination. What you want to do is always your choice. To reach an advocate, call 1-800-310-0000.

Medical Examination without a Police Report

Hospitals will provide a SAFE, including appropriate blood and urine tests, even if the student does not want to make a police report. These examinations are referred to as "Non-Reporting" SAFEs, or "Jane Doe" examinations. This option allows the student to have potential evidence collected and preserved without giving his/her name to the police or being obligated to pursue criminal charges. Hospital staff will conduct the non-reporting SAFE in the same manner as if a police report where being made so that the evidence is usable by police detectives and potentially admissible in court. Hospital staff will contact police once the examination is completed. A police officer will respond to collect the evidence and assign a police report number (without the student's name), and will enter any evidence collected into police evidence. However, the evidence will not be processed or examined by detectives unless the student subsequently makes a report to police.

Costs of a SAFE and Medical Care

The cost of the Sexual Assault Forensic Examination is covered by a state fund. However, if the student requires additional medical care for injuries suffered during the assault or follow up care, those costs may be billed to the student's health insurance. If criminal charges are filed, a state victim's compensation fund may cover some or all of the costs for medical care.

What is a bystander?

A bystander is a person or group of people who intervene in a safe and positive way to prevent harm or provide resources to a person in need.

Bystander Intervention Options

Bystander intervention is a primary prevention tool that encourages prevention before it has the potential of possibly happening. Bystander intervention programs teach potential witnesses safe and positive ways that they can act to prevent 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.

Why should bystanders be accountable?

In the past, people were comfortable in a passive role, only being responsible for themselves. The bystander approach acknowledges the fact that we are all interdependent and can all have a positive impact on each other. If we keep our eyes open to potentially dangerous situations, we can step in before something bad happens. As people feel empowered to become "active" bystanders, it will, in turn empower others surrounding them. The goal of this program is engaging members of our campus community to realize its true potential to influence others, and potentially save lives.

Risk Reduction:

Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Risk reduction tips may include but are not limited to:

- Be aware of your surroundings.
- Establish a plan of action.
- Remain calm.
- Ask for help from other bystanders or friends.
- Intervene early and in a safe manner.
- Consider multiple options.
- Don't make assumptions about the people involved or the situation.
- Keep your eyes open for red flags.
- Don't be afraid to call for help.

Remember, that safely stepping into a situation may give the person you are concerned about a chance to get to a safe place or leave the situation. Take the steps to protect someone who may be at risk in a way that fits your comfort level, but that never puts your own safety at risk.

Anti-Hazing Policy

a. Purpose

Northwestern Technological Institute is committed to maintaining a safe, inclusive, and respectful learning environment. Hazing is strictly prohibited and is inconsistent with the values of professionalism and mutual respect that define our school community.

b. Scope

This policy applies to all students, faculty, staff, student organizations, and affiliated groups at Northwestern Technological Institute. It covers activities on and off campus, including events, social gatherings, and online interactions.

c. Definition of Hazing

Hazing is defined as any intentional, knowing, or reckless act—whether physical, emotional, or psychological—committed against another person in connection with joining, maintaining membership in, or participating in any group or organization, regardless of the victim's willingness to participate.

Examples include:

- Physical harm (e.g., paddling, forced physical exertion, exposure to elements)
- Emotional harm (e.g., sleep deprivation, humiliation, exclusion)
- Coerced consumption of substances (e.g., alcohol, drugs, or non-edible items)
- Intimidation or degradation
- Illegal or unethical tasks

Hazing does not include legitimate educational or training activities that are part of the curriculum or professional development.

d. Prohibited Conduct

The following actions are strictly prohibited:

- Planning, encouraging, or participating in hazing activities.
- Failing to report or intervene when aware of hazing.
- Retaliating against individuals who report hazing.

e. Reporting Procedures

Anyone who witnesses or experiences hazing should report it immediately to the School Director:

Lorne Gauthier, School Director
24800 Northwestern Highway
Southfield, MI 48075
Lgauthier@northwesterntech.edu
(248) 358-4006

Anonymous reports are accepted but may limit the school's ability to investigate.

f. Investigation and Response

All reports will be investigated promptly and confidentially. Interim measures may be taken to protect individuals during the investigation. Findings may result in disciplinary actions including suspension, expulsion, or revocation of organizational recognition.

g. Consequences

Violations of this policy may result in:

- Students: Suspension, expulsion, loss of privileges, or referral to law enforcement.
- Organizations: Loss of recognition, suspension of activities, mandatory training.
- Staff/Faculty: Disciplinary action per employee handbook, up to termination.

h. Prevention and Education

Northwestern Technological Institute has implemented an awareness for students, staff, and faculty to prevent and promote the awareness of hazing which shall include primary prevention and awareness for incoming students and new employees, as well as ongoing prevention awareness for students and faculty, that includes, but is not limited to the following:

- Hazing Prevention and Awareness Training (presented at time of student's enrollment with the School).
- Nationally recognized handouts available (School Library) on awareness and prevention of hazing.
- Widespread distribution and publication of the Institute's Anti-Hazing Policy.

i. Review and Compliance

This policy will be reviewed annually to ensure compliance with federal and state laws, including the Stop Campus Hazing Act and the Clery Act.

j. Michigan State Law Compliance

Michigan's anti-hazing law, known as Garret's Law (MCL 750.411t), applies to all students, employees, and volunteers at educational institutions in Michigan. It prohibits any intentional, knowing, or reckless act that endangers the physical health or safety of an individual for the purpose of initiation, affiliation, or membership in an organization.

Examples of prohibited hazing include:

- Physical brutality (e.g., beating, branding, shocking)
- Dangerous physical activity (e.g., sleep deprivation, exposure to elements)
- Forced consumption of substances (e.g., alcohol, drugs)
- Coerced criminal acts

Consent from the victim is not a valid defense. The law does not apply to normal athletic, military, or physical education activities sanctioned by the institution.

Penalties under this law include:

- Misdemeanor: Up to 93 days in jail or $1,000 fine if hazing causes injury
- Felony: Up to 5 years in prison or $2,500 fine if it causes serious impairment
- Felony: Up to 15 years in prison or $10,000 fine if it results in death

Reportable Offenses under the Clery Act. The Clery Act requires Northwestern Technological Institute to report of the following offenses:

- Murder/Non-Negligent Manslaughter
- Negligent Manslaughter
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Hazing
- Sexual Offenses:
    - Rape

    - Fondling
    - Statutory Rape
    - Incest
- Hate Crimes: Where the victim is intentionally selected because of his/her actual or perceived race, gender, religion, sexual orientation, ethnicity, and or disability.
    - Larceny-Theft
    - Simple Assault
    - Intimidation
    - Destruction, damage, or vandalism of property
- Violence Against Women:
    - Domestic Violence
    - Dating Violence
    - Stalking
- Arrests, or persons referred for campus disciplinary action for liquor law violations
- Arrests, or persons referred for campus disciplinary action for drug-related violations
- Arrests, or persons referred for campus disciplinary actions for weapons possession

Amendments

The Institute may amend the Policy or the Procedures from time to time. Nothing in the Policy or Procedures shall affect the inherent authority of the Institute to take such actions as it deems appropriate to further the educational mission or to protect the safety and security of the Institute community.

Campus Crime Report

The School Director prepares this report to comply with the Jeanne Clery Campus Safety Act. The report is prepared in cooperation with the local law enforcement agencies surrounding our campus.

Campus crime, arrest, and referral statistics include those reported to the School Director and local law enforcement agencies. Copies of the report may be obtained from the School Director or by calling (248) 358-4006. All prospective employees may obtain a copy from the School Director or by calling (248) 358-4006.

To Report A Crime: Contact the School Director at (248) 358-4006 (non-emergencies) or dial 9-1-1 (emergencies only). Any suspicious activity or person seen loitering inside or around the Institute buildings should be reported to the School Director.

Offense	On Campus			Non Campus			Public Property		
	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Hazing	N/A	N/A	0	N/A	N/A	0	N/A	N/A	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
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
VAWA Offenses									
Domestic Violence	1	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests & Disciplinary Referrals									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	1	0	0
Drug Law Arrests Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0

Hate Crimes – There were no Hate Crimes reported for 2023, 2024, or 2025.

On-Campus is defined as any building or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to its educational purposes. Northwestern Tech does not own the building in which it is located, however, as a tenant; the Institute does control all of the 1st and 2nd floors as well as a majority of the 3rd Floor.

Public Property is defined as all public property including thoroughfares, streets, sidewalks, and parking facilities that is within the same campus or immediately adjacent to and accessible from the campus. This would not include, for example, highways that are adjacent to the campus, but that are separated from the campus by a fence or other man-made barrier. Northwestern Technological Institute is surrounded on three sides primarily by adjacent office and/or commercial, privately owned buildings. Immediately in front of the Institute is the Lodge Freeway/Northwestern Highway Service Drive.

**Victims of a sexual assault are encouraged to report the crime immediately, and directly to the Title IX Coordinator (School Director; Lorne Gauthier).*

Definitions: as Defined by the Federal Bureau of Investigation's Uniform Crime Reporting Program's (UCR) Summary Reporting System

Murder/Non-Negligent Manslaughter
The willful (non-negligent) killing of a human being by another.

Negligent Manslaughter
The killing of another human being through gross negligence.

Hazing
The term 'hazing' means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury.

Sex Offenses:

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

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.

Aggravated Assault
An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary
The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft
The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

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.

Hate Crimes
Any criminal act against a person, group of persons, or the property of any person or group of persons involving one or more of the above listed crimes, or the crimes of Simple Assault, Intimidation, Vandalism, and Larceny which was motivated by a bias against the

victim's ethnicity, race, national origin, religion, gender, gender identity, sexual orientation, gender identity, disability or the perception that the person or group has one or more of these characteristics.

- **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.

- **Larceny – Theft**

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

- **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.

- **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.

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

Drug Related Violations
The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Illegal Weapons 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.

Violence Against Women Reauthorization Act (VAWA) Crime Definitions:
For purposes of determining whether sexual harassment occurred under this Policy, the Institute uses the following definitions for VAWA crimes:

Sexual Assault
Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation

Dating Violence
Dating violence meaning 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:
    1. The length of the relationship;
    2. The type of relationship; and
    3. The frequency of interaction between the persons involved in the relationship;

Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence
Domestic violence meaning felony or misdemeanor crimes committed by a person who:

A. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the Institute, or a person similarly situated to a spouse of the victim;
B. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

C. Shares a child in common with the victim; or
D. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

Stalking

Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

A. Fear for the person's safety or the safety of others; or
B. Suffer substantial emotional distress.