Annual Security & Fire Safety Report 2026

Corktown Campus

University of Detroit Mercy School of Dentistry
2700 Martin Luther King Jr. Blvd. Detroit, MI 48208
|| www.dental.udmercy.edu || 313-494-6700 ||

CLERY GEOGRAPHY – CORKTOWN CAMPUS

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ANNUAL SECURITY REPORT COMPLIANCE

The University of Detroit Mercy Department of Public Safety 2026 Annual Security Report is provided to you in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act. This report provides security information covering 2023, 2024, and 2025.

ANNUAL FIRE REPORT COMPLIANCE

The 2024 Annual Fire Safety Report is provided to you in compliance with the Higher Education Opportunity Act, Public Law 110-315 Act (HEOA)

The Annual Fire Safety Report regulations require minimum statistical disclosure for the previous year (for purposes of this report 2023, 2024, 2025) concerning emergency response procedures, fire safety regulations, statistics for campus fires, and other fire incidents that occurred on campus or on property owned or controlled by University of Detroit Mercy

GETTING A COPY OF THE FULL REPORT

You can obtain a copy of the full report by following the print options, contacting the Department of Public Safety at (313) 993-1235 Monday – Friday 9:00 a.m. to 4:30 p.m., or via the website: www.udmercy.edu/publicsafety.

ANNUAL SECURITY REPORT SECTION

ABOUT THE ANNUAL SECURITY REPORT

The University of Detroit Mercy Department of Public Safety 2026 Annual Security Report is provided to you in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The Annual Security Report regulations require minimum statistical disclosure for the previous three years (for purposes of this report 2023, 2024, 2025), concerning reported crimes that occurred on campus; in certain off-campus buildings, and on property owned or controlled by the University of Detroit Mercy; and on public property within, or immediately adjacent to and accessible from, the campuses. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, alcohol use, Timely Warning Notices, and other matters.

These crime statistics disclosed for the previous three years (2023, 2024, 2025) cover an approximately 1/8-mile radius of the reporting campus.

You can obtain a copy of the full report by following the print options, contacting the Department of Public Safety at (313) 993-1235 Monday – Friday 9:00 a.m. to 4:30 p.m., or via the website: www.udmercy.edu/publicsafety.

UNIVERSITY MISSION STATEMENT

The University of Detroit Mercy, a Catholic university in the Jesuit and Mercy traditions, exists to provide excellent student-centered undergraduate and graduate education in an urban context. A Detroit Mercy education seeks to integrate the intellectual, spiritual, ethical, and social development of our students.

CRIME PREVENTION TIPS

- Look around—be mindful of your surroundings when walking to and from parking areas.
- Work and study in well-populated areas.
- Have your keys in your hand before you walk to your car or building.
- Share a code word or code phrase with someone close to you. This way, you can secretly alert them that you are having a problem and discreetly call Public Safety immediately.
- If you are the victim of a crime, get to safety first.
- Use the campus escort service or walk-in groups.
- **Trust your instincts: if it doesn't feel right, it probably isn't.**

A Message from the Chief

Executive Team

Joel A. Gallihugh
Chief

Edmund Black
Captain

Supervision

Sean Bacon
Sergeant

Garreth Boettcher
Sergeant

Melissa Webb
Sergeant

Darrick Hollowell
Sergeant

Bureau Supervisors

Sean Bacon
Sergeant/ Investigations

Visit us at
www.udmercy.edu/publicsafety

Contact us 24/7/365

Emergency: (313) 993-1234
Non-emergency: (313) 993-1234
publicsafety@udmercy.edu

Dear Students, Faculty, and Staff:

University of Detroit Mercy's Department of Public Safety works around the clock to ensure a safe campus environment. The 2026 Annual Security & Fire Safety Report is provided to inform you of safety information at Detroit Mercy. The Report covers our commitment to the University Community, disclosing statistical information for the previous three years (2023, 2024, 2025) and other safety information.

Detroit Mercy has an Emergency Response Plan that is sound, yet flexible to meet the demands of a crisis, providing framework necessary to respond to an emergency incident. The University has provided protocols for you to identify the best steps to take, should you find yourself faced with a crisis. When you visit the Department of Public Safety website (www.udmercy.edu/publicsafety), take a few minutes to print out a copy of the full Emergency Response Plan as well as the Emergency Procedure Guide as a quick reference tool.

The University uses the RAVE Emergency Alert System (EAS) to provide the community with notifications on campus security issues, class cancelations, or other campus-related emergencies. The EAS is designed to send registered participants a notice through text messages and prerecorded voice messages on their cellphones, hard-wired home phones, text pagers, or emails. I strongly recommend that all community members validate your contact information to receive timely campus safety information.

You are encouraged to visit the Department of Public Safety website at www.udmercy.edu/publicsafety to view the Detroit Mercy Emergency Response Plan and other important safety information.

Sincerely,

Joel A. Gallihugh
Director/Chief
Department of Public Safety
University of Detroit Mercy

Campus Resources

Department of Public Safety
Emergency (24-hours) (313) 993-1234
Non-Emergency (24-hours) (313) 993-1234
Campus Escort (313) 993-1234
Crime Prevention (313) 993-1234
Parking Holds (313) 993-1235

Environmental Safety (313) 993-1240
Human Resources (313) 993-1036
Parking & ID (313) 993-1100
Personal Counseling (313) 993-1459
(313) 993-1170
(313) 494-6938 (Corktown Campus)
Residence Life (313) 993-1230
Student Affairs (313) 993-1028
Student Wellness Center (313) 993-1562

Report Suspicious Activity

Important things to look for:

- Gender & Race
- Height & Weight
- Age
- Hair Color & Style
- Complexion
- Eye Color
- Clothing
- Unusual marks
- Vehicle color & license #
- Direction of escape

Off-Campus Resources

Detroit Police Department
Victims Assistance
Crisis Line 24-Hours (313) 833-1660

Detroit Police Department
Chief Neighborhood Liaison Dept. (313) 596-2520

Interim House
Y.W.C.A Metropolitan Detroit-Domestic Violence
24-Hour Crisis Line (313) 861-5300

First Step
Domestic & Sexual Violence Services
24-Hour Helpline 1 (734) 722-6800

ANNUAL SECURITY REPORT

PURPOSE

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

SCOPE

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

POLICY

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

ACCURATE & PROMPT CRIME REPORTING

PURPOSE

The Department of Public Safety encourages prompt reporting of all criminal activity occurring on or around the University of Detroit Mercy campuses which may pose a threat to safety.

SCOPE

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

POLICY

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents to the Detroit Mercy Department of Public Safety in a timely manner. This publication focuses on the University's Department of Public Safety because we patrol the campuses as well as neighboring streets within the City of Detroit.

To report a campus crime or an emergency, immediately call the Detroit Mercy Department of Public Safety by calling the 24-hour communications center at (313) 993-1234 or in-person at:

McNichols Campus
Department of Public Safety
4001 W. McNichols Road, Detroit 48221
Student Union Building, southeast corner
24-hours/7-days

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

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

Novi Campus
Department of Public Safety
41555 W. 12 Mile Rd., Novi 48377
Monday- Wednesday 8:30 a.m. – 5:00 p.m.
24- hours/7-days

Dispatchers are available 24 hours a day to answer your call. In response to your call, the Detroit Mercy Department of Public Safety or Hospital Security will take the required action: dispatching an officer, providing the victim with information, or properly filing an incident report.

University incident reports of a serious nature are forwarded to the Dean of Students Office for review and potential action by the Dean of Students Office. The Department of Public Safety Investigators will look into a report when it is deemed appropriate. Department of Public Safety may work in conjunction with the bureaus of the Detroit Police Department when it deems necessary. Additional information obtained during the investigation may be forwarded to the Dean of Students Office as evidence during the judicial review process, but not to the extent to compromise an ongoing criminal investigation within the Department of Public Safety.

If assistance is required from the City, County, State Police, or Fire Department, the Detroit Mercy Department of Public Safety will contact the appropriate agency. If a sexual assault or rape should occur, staff on the scene, including the Department of Public Safety, will offer the victim a wide variety of services.

This publication contains information about on-campus and off-campus resources. The information is made available to provide the Detroit Mercy Community members with specific information about the

resources that are available in the event they become victims of a crime. The information about "resources" is not provided to imply that those resources are "reporting entities" for Detroit Mercy.

Campus pastoral counselors and campus professional counselors, when acting as such, are not required to report crimes for inclusion in the annual disclosure of crime statistics. 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 in the annual crime statistics. While this exemption is to protect the counselor-client relationship, there could be situations where counselors are legally obligated to report a crime.

TIMELY WARNING DISCLOSURE

PURPOSE

The purpose of this policy is to inform the University of Detroit Mercy Community that timely safety warnings will be used to keep the University Community alerted of criminal activity that takes place on and around the University's campuses which may pose a threat to safety.

SCOPE

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

POLICY

In the event that a situation arises, either on or off campus, that in the judgment of the Director of Detroit Mercy Public Safety Department constitutes an ongoing or continuing threat, a campus-wide "safety warning" will be issued. The warning will be issued to the student newspaper, The Varsity News, if time is appropriate, and through the University email to students, faculty, and staff.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Department of Public Safety may also post a notice on the campus-wide electronic bulletin board on the first floor of the library, first floor of Shiple Hall, and second floor of the Student Fitness Center. Notices will also be posted on the Public Safety website: www.udmercy.edu/publicsafety.

In such instances of an ongoing threat of safety, a copy of the notice is posted in each residence hall, and at the front door of each academic and administrative building.

Anyone with information warranting a safety warning should immediately report the circumstances to the Detroit Mercy Department of Public Safety by calling the 24-hour communications center at (313) 993-1234 or in-person at:

McNichols Campus
Department of Public Safety
4001 W. McNichols Road, Detroit 48221
Student Union Building, southeast corner
24-hours/7-days

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

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

Novi Campus
Department of Public Safety
41555 W. 12 Mile Rd., Novi 48377
Monday- Wednesday 8:30 a.m. – 5:00 p.m.

REPORTING CRIMINAL OFFENSES ON CAMPUS

PURPOSE

For purposes of this policy, the University of Detroit Mercy Department of Public Safety discloses to the University Community how to report criminal offenses that take place on or around the University's campuses, which may pose a threat to safety.

SCOPE

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

POLICY

To report a criminal offense on Detroit Mercy campuses, immediately contact the Detroit Mercy Department of Public Safety 24-hour communications center at (313) 993-1234 for emergencies, (313) 993-1234 for non-emergencies, or by using the exterior emergency telephones located throughout campus.

Any suspicious activity of a person seen in the parking lots or loitering around vehicles, inside buildings, or around Residence Halls should be immediately reported to the Department of Public Safety. In addition,

if you are a victim involved in a crime of a sensitive nature, you may report a crime to the following areas:

1. Dr. Jon Ryder
   Associate Dean for Academic Administration
   (313) 494-6656 (Corktown Campus)

2. Dr. Juliette C. Daniels, Ed.D.
   Associate Dean Student Affairs School of Optometry
   (248) 675-0880 (Novi Campus)
3. Monica Williams
   Dean of Students
   (313) 993-1028 (McNichols Campus)
4. Sandra Alef
   Director, Residence Life
   (313) 993-1230 (McNichols Campus)

Detroit Mercy Department of Public Safety and the Detroit Police Department have a mutual agreement. Each department augments the other within its jurisdiction during mutual investigations, arrests, and prosecutions. Detroit Mercy officers attend regular meetings with local law enforcement agencies to exchange ideas and problems which may be of concern for the University Community.

Reporting Criminal Offenses Off Campus

Purpose

The purpose of this policy is to inform the University of Detroit Mercy Community that Detroit Mercy officers provide routine patrol services on University property.

Scope

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

Policy

When a University of Detroit Mercy student is involved in an off-campus offense, the Detroit Police Department will be the responding police authority to assist you. To report criminal offenses occurring off campus, immediately contact the Detroit Police Department by dialing 911 for emergencies. The Detroit Mercy Department of Public Safety works with local, state, or federal law enforcement on investigations. The Detroit Police Department routinely works and communicates with campus officers on serious incidents occurring on campus or in the immediate neighborhood and business areas surrounding campus.

Detroit Mercy does not operate off-campus housing and business facilities. Accordingly, many graduate students and some undergraduate students live in the neighborhoods surrounding Detroit Mercy campuses. The Detroit police have jurisdiction in all areas off campus.

Campus pastoral counselors and campus professional counselors, when acting as such, are not required to report crimes for inclusion into the annual disclosure of crime statistics. 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 statistics. While this exemption is to protect the counselor-client relationship, there could be situations where counselors are legally obligated to report a crime.

MISSING PERSON POLICY

PURPOSE

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

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

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

SCOPE

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

Residential Students

Procedure for Designation of Confidential Emergency Contact Information

All residential students have the opportunity annually to identify an individual or individuals to be contacted by the Dean of Students or designee no later than 24 hours. Anyone concerned that a residential student may be a missing person must notify the Department of Public Safety, Dean of Students, or the Director of Residence Life as soon as possible so that an official determination can be made on the missing status of the student.

The Department of Public Safety and Residence Life staff will gather all essential information about the residential student from the reporting person and from the student's acquaintances. Appropriate campus staff will be notified to aid in the search for the student. Appropriate staff will

include the Residence Life professional on-call, Director of Residence Life, Dean of Students, and the Department of Public Safety.

If the above actions are unsuccessful in locating the student within 24 hours, or it is immediately apparent that the student is a missing person (e.g., witnessed abduction) the student will be deemed a missing student 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed, revoked by the student or when the student is no longer enrolled at Detroit Mercy. This information is maintained confidentially and will be available only to the Department of Public Safety, Dean of Students, and the Director of Residence Life. The administration of the University reserves the right to notify the parents or legal guardian of a student under the age of 21 if s/he has been determined to be missing.

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

General Policy

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

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

Missing Minor

A report of a missing person who is under the age of 17 shall immediately be processed as a missing person report by the Department of Public Safety. If the missing minor cannot be located on the Detroit Mercy property, Detroit Mercy Public Safety shall contact the Detroit Police Department immediately following a check of the Detroit Mercy property. All related information gathered during the search shall be turned over to the Detroit Police Department (DPD) for further processing. The Detroit Mercy Department of Public Safety shall assist in the transfer of information to the DPD and take all foreseeable steps to ensure the reporting person has an established contact with DPD. The Detroit Mercy Department of Public Safety shall forward the campus report to the University's investigative unit. The assigned investigator shall follow up with DPD to determine the disposition.

JURISDICTION & AUTHORITY

PURPOSE

The purpose of this policy is to make the University of Detroit Mercy Community aware of the police authority of the Detroit Mercy Officers.

SCOPE

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

POLICY

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

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

By mutual agreement with state and federal agencies, the University Department of Public Safety has access to information maintained within the NLETS Network (National Law Enforcement Telecommunications Network) through our joint effort with the Detroit Police Department. Through this system, police personnel can access the National Crime Information Computer system as well as the Law Enforcement Information Network (LEIN). These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

McNichols Campus

These powers are limited to the property of the geographical area bounded on the north by McNichols from Livernois to Fairfield; on the east by Fairfield from McNichols to Puritan; on the south by Livernois; west on Livernois, north to McNichols.

Riverfront Campus (School of Law)

Authority shall also include the Riverfront Campus School of Law with hard boundary streets: starting at a point at the southbound Chrysler Freeway service drive and Congress proceeding south on the service drive to Jefferson Avenue, west of Jefferson Avenue to St. Antoine, north on St. Antoine to Congress, and east on Congress to the southbound Chrysler Freeway service drive.

Riverfront Law Clinic Borders

Starting point Northbound on East Congress Street to Westbound on Beaubien Street to Southbound on Larned Street to Eastbound on St. Antoine Street.

Corktown Campus (School of Dentistry)

Authority shall also include the Corktown Campus with hard boundary streets: starting point northbound on Magnolia Street and going to eastbound 17th Street. Blvd to southbound Martin Luther King Jr. Blvd to westbound Lawton Street.

Through coordination with local law enforcement agencies, any criminal activity by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Dean of Students for any action or follow-up that may be required.

Novi Campus

Authority shall also include the Novi Campus at 41555 W. 12 Mile Rd. Novi, MI 48377. The property is owned and controlled by the University of Detroit Mercy, located on the southwest corner of 12 Mile and Meadowbrook in Novi Michigan.

SECURITY & CAMPUS ACCESS

PURPOSE

The purpose of this policy is to inform the University of Detroit Mercy Community of the security and campus access enforcement policy.

SCOPE

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

POLICY

During business hours, the university (excluding housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all university, facilities is by key and/or card access and by admittance via the Department of Public Safety. In the case of extended closing periods that are not of an emergency nature, the Detroit Mercy Department of Public Safety will admit only those individuals with prior written approval to specific facilities or prearranged business on Detroit Mercy property.

Residence halls are secured by card access 24 hours a day. Over extended breaks, the doors of all halls remain secured around the clock, residential hall access cards will be reprogrammed, or a separate holiday card will be issued to assigned holiday building residents.

Some facilities may have individual hours, which may vary at different times of the year. Examples are Calihan Hall during sporting events, the library during final exam week, and Food Services to support athletic training programs. In these cases, the facilities will be secured according to schedule, with notice adjustments made by the Department of Public Safety to accommodate such instances. Emergencies may necessitate changes or alterations to any posted schedules.

Security issues related such as landscaping, locks, alarms, lighting, and communications are shared among administrators from the Facilities Management Department, (Public Safety, Facility Operations, Housekeeping, Dining Services), and other concerned areas as necessary to address safety concerns.

Additionally, throughout the academic year, the Detroit Mercy Director of Public Safety meets regularly with the Dean of Students and as necessary with the Director of Residence Life to discuss vital safety information and other concerns.

ANNUAL DISCLOSURE OF CRIME STATISTICS

PURPOSE

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

SCOPE

This policy applies to employees, contractors, consultants, temporary help, and other workers at Detroit Mercy, including all personnel affiliated with third parties. Crime statistics are compiled on criminal activity occurring on and around university property to decrease the opportunity for victimization by heightening community awareness.

POLICY

A Safety Disclosure Report will be made available annually to keep the university community apprised of safety information affecting Detroit Mercy.

The Detroit Mercy Department of Public Safety prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located by following the link on our website at www.udmercy.edu/publicsafety . You may also connect to our website via the Detroit Mercy Home page at www.udmercy.edu. This report is prepared in cooperation with the local law enforcement agencies surrounding campuses, Residence Life and Title IV Coordinators, and the Division of Student Affairs. Each entity provides updated information on its educational efforts and programs to comply with the Clery Act.

Campus crime, arrest, and referral statistics include those reported to the Detroit Mercy Department of Public Safety, designated campus officials, and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses and are not required by law. Michigan law requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners (such as those at Student Health Services) when they provide medical services to a person they know, or reasonably suspect is suffering wounds inflicted by a firearm or is a result of a physical assault or abusive conduct. Personal Counseling Services staff informs their clients of the procedures to report crime to the Department of Public Safety on a voluntary basis, should they feel it is in the best interest of the client.

Each year, an email notification will be made to all enrolled students, faculty, and staff informing them of the website to access this report. Copies of the report may also be obtained by calling the Department of Public Safety at (313) 993-1235 during normal business hours. All prospective employees and prospective students may obtain a copy from the Department of Public Safety website www.udmercy.edu/publicsafety.

Possession of Alcoholic Beverages

Purpose

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

Scope

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

Policy

The possession, sale, or the furnishing of alcohol on the University campuses is governed by Detroit Mercy Alcohol Policy, City of Detroit Ordinance and Michigan State law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the Michigan Liquor Control Commission (MLCC). However, the enforcement of alcohol laws on campus is the primary responsibility of the Detroit Mercy Department of Public Safety.

Detroit Mercy campuses have been designated "Drug Free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Detroit Mercy Department of Public Safety officers.

Violators are subject to University disciplinary action, criminal prosecution, fines and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the Detroit Mercy Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior University approval. Organizations or groups violating alcohol/substance policies or law may be subject to sanctions by the University.

The Department of Public Safety enforces university policy, City ordinances, and Michigan State laws that govern alcohol use.

Information on alcoholic beverage consumption on University campuses is available in the Detroit Mercy Student Handbook and Calendar with the University Policies & Procedures at https://www.udmercy.edu/life/on-campus/faq.php

Drug-Free Campus

Purpose

University of Detroit Mercy discloses to the University community one measure to protect the privileges of all members by providing a stable and safe environment on and around University campuses by prohibiting the unlawful possession, use, manufacture or distribution of illicit drugs or alcohol on University premises.

SCOPE

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

POLICY

For the purpose of this Policy, the term "drug" includes:

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

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

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

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

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

- Providing education and awareness activities.
- Offering substance-free social and extracurricular options.
- Creating a health-promoting normative environment.
- Restricting the marketing and promotion of alcohol and other drugs.

- Limiting availability of alcohol and other drugs.
- Developing and enforcing campus policies and enforcing laws to address high-risk and illegal alcohol and other drug use.
- Providing early intervention and referral for treatment.
- Parental Notification

The Family Education Rights and Privacy Act (FERPA) govern the release of and access to student education records. Section 952 of the 1998 Amendments to the Higher Education Act of 1965 clarified that institutions of higher education are allowed (but not required) to notify parents if a student under the age of 21 at the time of notification commits a disciplinary violation involving alcohol or a controlled substance.

Because of the health and safety risk inherent in alcohol and other drug misuse, Detroit Mercy will notify parents/family of students under the age of 21:

- If a student has committed an AOD violation accompanied by other serious behavior such as needing medical attention, significant property damage or driving under the influence.
- If a student has had an AOD incident that resulted in transport to the hospital or jail.
- If a student has had one AOD-related violation of the Student Code of Conduct- Alcohol and Other Drug Policy

Detroit Mercy campuses have been designated "Drug Free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under state and federal laws. Such laws are strictly enforced by the University of Detroit Mercy public safety officers. Violators are subject to University disciplinary action, criminal prosecution, fines and imprisonment.

Detroit Mercy Department of Public Safety works to maintain a drug-free workplace in compliance with University policies, City Ordinances, state and federal laws. The University has disclosed to the community detailed information to uphold the "Drug-Free Workplace Act of 1988". This information is available through the Detroit Mercy Human Resources Department and located in the University of Detroit Mercy Polices & Procedures Handbook effective June 2017. In addition, the Detroit Mercy Department of Student Affairs communicates information on the consumption of alcohol and illicit drug use through the Student Handbook and Calendar. The Department of Residence Life reinforces these policies for the residential community by providing policies on the prohibition of alcohol consumption and illicit drug use in the Guide to Residence Living

SUBSTANCE ABUSE EDUCATION

PURPOSE

University of Detroit Mercy informs the University Community how they will be advised of Substance Abuse Educational opportunities that take place on and around the University's campuses.

SCOPE

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

POLICY

The University has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational material, educational programs, counseling services, referrals and college disciplinary actions. Students needing help dealing with substance abuse problems are encouraged to consult the Dean of Students for referral to the appropriate office and/or agency.

Wellness Center

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

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

Personal Counseling Services

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

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

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

To schedule an appointment for a personal counseling call or email:

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

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

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

Local, State, and Federal Laws Governing Alcohol

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

Additional Resources

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

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

Impaired Driving Law

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

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

SECURITY AWARENESS PROGRAM

PURPOSE

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

SCOPE

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

POLICY

Throughout the school term, students are informed of services offered by the Department of Public

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

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

- Sexual assault (rape and acquaintance rape)
- Physical abuse
- Theft
- Vandalism
- Personal Safety
- Residence Hall Security

Detroit Mercy Department of Public Safety has identified several agencies that offer educational programs to identify techniques to avoid sexual assault and date rape. Information on these agencies is located on the Department of Public Safety website www.udmercy.edu/publicsafety and in the Student Handbook and Calendar.
The University's Public Safety Department in cooperation with the University's Emergency Response Planning Committee hosted the first annual Safety Awareness Day in October. The purpose of the Awareness Day was to provide the University community with safety prevention information across a broad spectrum to empower individuals with the ability to make the best safety choices. Participants in the awareness day were the Detroit Mercy Department of Public Safety, Department of Residence Life, Department of Athletics, Metz Culinary Management, University Health Center, Dean of Students Office, LUMA Clean and Safe community outreach committee, The Women's Commission, Facility Operations, ITS Department, and the Student Senate.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert notices, displays, electronic marquee, articles and advertisements in university student newspaper, the Varsity News.

When time is of the essence, information is released to the University Community through "safety warnings" posted prominently throughout campus, on the Department of Public Safety website, www.udmercy.edu/publicsafety, and through emails to the University list server.

CRIME PREVENTION

PURPOSE

The purpose of this policy is to educate the University of Detroit Mercy Community on proper crime prevention and safety precautions.

SCOPE

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

POLICY

University of Detroit Mercy maintains, enforces, and discloses to the University community information on crime prevention programs to address the known types of criminal activity that take place on and around the University's campuses which may pose a threat to your safety. Crime Prevention Programs will be offered throughout the Fall and Winter semesters to recommend safe practices to the University Community

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

Tip: To enhance personal safety, program Public Safety into a one-touch button on your cell phone to quickly report campus emergencies.

UNIVERSITY OF DETROIT MERCY NONDISCRIMINATION POLICY

Purpose

University of Detroit Mercy is committed to providing an educational and employment environment that is free from discrimination based on protected characteristics, harassment, and retaliation for engaging in protected activity.

University of Detroit Mercy values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the resolution process.

To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the education program or activity, the University has developed policies and procedures that provide for prompt, fair, and impartial resolution of allegations of protected characteristic discrimination, harassment or allegations of retaliation.

Notice of Nondiscrimination

University of Detroit Mercy seeks to comply with all federal, state, and local laws, regulations, and ordinances prohibiting discrimination in private post-secondary education institutions.

University of Detroit Mercy does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of actual or perceived:

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

This Policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the University of Detroit Mercy community whose acts deny, deprive, unreasonably interfere with or limit the education or employment, and/or social access, benefits, and/or opportunities of any member of the University of Detroit Mercy community, guest, or visitor on the basis of that person's actual or perceived protected characteristic(s), is in violation of this Policy.

University of Detroit Mercy will promptly and effectively address any such discrimination of which it has Notice using the resolution processes in the Nondiscrimination Procedures.

Nondiscrimination Team

The University has appointed the following individual to coordinate the University's compliance with federal, state, and local civil rights laws and ordinances:

Megan Novell
Executive Director and Title IX Coordinator
Office of Equal Opportunity 285 Student
Union
4001 W. McNichols Rd.
Detroit, MI 48221 (313) 993-1802
novellme@udmercy.edu

The Executive Director of the Office of Equal Opportunity and Title IX Coordinator (hereafter, "the Director") may be contacted by any student, employee, or member of the University community for information about the University's Nondiscrimination Policy and Procedures and related matters.

The University has also appointed a Nondiscrimination Team, which includes Human Resources professionals as well as Deputy Title IX Coordinators, to assist in coordinating the University's compliance with federal, state, and local civil rights laws and ordinances. Appendix B lists the Nondiscrimination Team. Employees may also contact the Associate Vice President for Human Resources, Netina Anding-Moore.

Collectively, these individuals are responsible for providing comprehensive nondiscrimination education and training; coordinating the University's timely, thorough, and fair response, investigation, and resolution of all alleged prohibited conduct under this Policy; and monitoring the effectiveness of this Policy and related procedures to ensure an education and employment environment free from discrimination, harassment, and retaliation.

University of Detroit Mercy recognizes that allegations under this Policy may include multiple forms of discrimination and harassment as well as violations of other University policies; may involve various combinations of students, employees, and other members of the University community; and may require the simultaneous attention of multiple University departments. Accordingly, all University departments will share information, combine efforts, and otherwise collaborate, to the maximum extent permitted by law and consistent with other applicable University policies, to provide uniform, consistent, efficient, and effective responses to alleged discrimination, harassment, or retaliation.

External Contact Information

Concerns about the University's application of this Policy and compliance with certain federal civil rights laws may also be addressed to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline: (800) 421-3481
Facsimile: (202) 453-6012
TDD: (877) 521-2172 Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

Office for Civil Rights (OCR)
U.S. Department of Health and Human Services Centralized Case
Management Operations 200 Independence Avenue, S.W. Room
509F HHH Bldg.
Washington, D.C. 20201
Phone: (800) 368-1019
TDD: (800) 537-7697
Email: OCRMail@hhs.gov
Web: https://www.hhs.gov/ocr

For Complaints involving employee-on-employee conduct: Equal Employment Opportunity Commission (EEOC)
Detroit Field Office

Patrick V. McNamara Building
477 Michigan Avenue
Room 865
Detroit, MI 48226 Phone: (313) 774-0020
Facsimile: (313) 226-4610
TTY: (800) 669-6820
ASL Video Phone: (844) 234-5122

Scope

This Policy is only applicable to alleged incidents that occur after August 1, 2024. For alleged incidents occurring prior to August 1, 2024, the policy and procedures in place at the time of the alleged incident apply. Applicable versions of those policies and procedures are available from the Director.

This Policy applies to all faculty, employees, students, and other individuals participating in or attempting to participate in the University's program or activities, including education and employment.

This Policy prohibits all forms of discrimination on the basis of the protected characteristic(s) listed in the Notice of Nondiscrimination. The Nondiscrimination Procedures may be applied to incidents, to patterns, and/or to the institutional culture/climate, all of which may be addressed in accordance with this Policy.

Jurisdiction

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

For disciplinary action to be issued under this Policy, the Respondent must be a University of Detroit Mercy faculty member, student, or employee at the time of the alleged incident. If the Respondent is unknown or is not a member of the University community, the Director will offer to assist the Complainant in identifying appropriate institutional and local resources and support options and will implement appropriate supportive measures and/or remedial actions (e.g., trespassing a person from campus).

The Director may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to the University of Detroit Mercy where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse. If there are effects of that external conduct that impact a student's or employee's work or educational environment, those effects can often be addressed remedially by the Director if brought to their attention.

Supportive Measures

University of Detroit Mercy will offer and implement appropriate and reasonable supportive measures to the

Parties upon Notice of alleged discrimination, harassment, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available. They are offered, without fee or charge to the Parties, to restore or preserve access to the University's education program or activity, including measures designed to protect the safety of all Parties and/or the University's educational environment and/or to deter discrimination, harassment, and/or retaliation.

The Director promptly makes supportive measures available to the Parties upon receiving Notice/Knowledge or a Complaint. At the time that supportive measures are offered, if a Complaint has not been filed, the University will inform the Complainant that they may file a Complaint with University of Detroit Mercy either at that time or in the future. The Director will work with a party to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

The University will maintain the confidentiality of the supportive measures, if confidentiality does not impair the University's ability to provide those supportive measures. University of Detroit Mercy will act to ensure as minimal an academic/occupational impact on the Parties as possible. The University will implement measures in a way that does not unreasonably burden any party.

These actions may include, but are not limited to:

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

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

Online Harassment and Misconduct

University of Detroit Mercy policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or the University's education program and activities, or when they involve the use of University networks, technology, or equipment.

Although University of Detroit Mercy may not control websites, social media, and other venues through which harassing communications are made, when such communications are reported to University of Detroit Mercy, it will engage in a variety of means to address and mitigate the effects.

Prohibited Conduct

Students and employees are entitled to an employment and educational environment that is free of discrimination, harassment, and retaliation. This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom. The sections below describe the specific forms of legally prohibited discrimination, harassment, and retaliation as well as conduct prohibited under University Policy.

All offense definitions below encompass actual and/or attempted offenses.

Any of the following offenses can be charged as or combined as pattern offenses, in which case the Notice of Investigation and Allegation (NOIA) will clearly indicate that both individual incidents and a pattern of conduct are being investigated. A pattern may exist and be charged when there is a potential substantial similarity to incidents where the proof of one could make it more likely that the other(s) occurred, and vice-versa. Patterns may exist based on target selection, similarity of offense, or other factors. Where a pattern is found, it can be the basis to enhance sanctions accordingly.

Violation of any other University of Detroit Mercy policies may constitute discrimination or harassment when motivated by actual or perceived protected characteristic(s), and the result is a limitation or denial of employment or educational access, benefits, or opportunities.

Discrimination

Discrimination is different treatment with respect to an individual's employment or participation in an education program or activity based, in whole or in part, upon the individual's actual or perceived protected characteristic. Discrimination also includes allegations of a failure to provide reasonable accommodations as required by law or policy, such as for disability, religion, or creed.

Discrimination can take two primary forms:

1) **Disparate Treatment Discrimination:**
   - Any intentional differential treatment of a person or persons that is based on an individual's actual or perceived protected characteristic and that:
     - Excludes an individual from participation in;
     - Denies the individual benefits of; or
     - Otherwise adversely affects a term or condition of an individual's participation in a University program or activity.

2) **Disparate Impact Discrimination:**
   - Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in a disproportionate impact on a protected group or person that:
     - Excludes an individual from participation in;
     - Denies the individual benefits of; or

- Otherwise adversely affects a term or condition of an individual's participation in a University program or activity.

Discriminatory Harassment

- unwelcome conduct on the basis of actual or perceived protected characteristic(s), that
- based on the totality of the circumstances,
- is subjectively and objectively offensive, and
- is so severe or pervasive,
- that it limits or denies a person's ability to participate in or benefit from the University's education program or activity

Sexual Harassment (Applicable under Title IX, Title VII, and the Fair Housing Act)

Sexual Harassment is a form of sex discrimination and includes quid pro quo sexual harassment, sexual assault, stalking, domestic violence and dating violence as defined below:

1) **Sexual Harassment:**
   - unwelcome sex-based conduct, that
   - based on the totality of the circumstances,
   - is objectively offensive, and
   - is so severe and pervasive,
   - that it effectively denies a person's ability to participate in or benefit from the University's education program or activity

2) **Quid pro quo:**
   - an employee of the University,
   - explicitly or implicitly conditioning the provision of such aid, benefit, or service,
   - on a person's participation in unwelcome sexual conduct.

3) **Sexual Assault:**

   a. **Rape:**
      - Penetration, no matter how slight,
      - of the vagina or anus of a person,
      - with any body part or object, or
      - oral penetration
        - of a sex organ of the Complainant, or
        1. by the Respondent's sex organ, or
        2. by a sex-related object
      - without the consent of the Complainant,
      - including instances where the Complainant is incapable of giving consent because of their age or because of temporary or permanent mental or physical incapacity.

   b. **Fondling:**[1]

[1] Contact with private body parts (e.g., genitals, buttocks, groin, breasts) is considered to be done for the purpose of sexual degradation, sexual gratification, or sexual humiliation unless: (1) the contact can be proven inadvertent; (2) the contact is for a legitimate medical (or

- The intentional touching of the clothed or unclothed genitals, buttocks, groin, breasts, or other body parts of the Complainant by the Respondent,
    1. without the consent of the Complainant,
    2. for the purpose of sexual degradation, sexual gratification, or sexual humiliation
- Or, the Respondent caused or directed the Complainant's intentional touching of the Respondent's clothed or unclothed genitals, buttocks, groin, breasts, or other body parts,
    1. without the consent of the Complainant,

for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

c. Incest:

- Nonforcible sexual intercourse between persons who are related to each other
- within the degrees wherein marriage is prohibited by Michigan law.

d. Statutory Rape:

- Nonforcible sexual intercourse with a person
- who is under the statutory age of consent in Michigan.

4) **Dating Violence:**

- Violence committed by a Respondent,
- who is in or has been in a social relationship of a romantic or intimate nature with the Complainant; **and**
- where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - length of the relationship
    - type of relationship
    - frequency of the interaction between the parties involved in the relationship.

5) **Domestic Violence:**

- Felony or misdemeanor crimes committed by a person who:
    - is a current or former spouse or intimate partner of the Complainant under the family or domestic violence laws of Michigan or a person similarly situated to a spouse of the Complainant;
    - is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
    - shares a child in common with the Complainant; **or**
    - commits acts against a youth or adult Complainant who is protected from those acts under the family or domestic violence laws of Michigan.

6) **Stalking:**

- engaging in a course of conduct on the basis of sex, that is,
- directed at a specific person that would cause a reasonable person to:

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other privileged) purpose and thus is conduct for which consent should have been sought and obtained by the provider; or (3) the contact involves a Respondent who cannot developmentally understand sexual contact or that their contact is sexual.

- fear for the person's safety, or
  - the safety of others; or
  - suffer substantial emotional distress.

University of Detroit Mercy reserves the right to address offensive conduct and/or harassment that (1) does not rise to the level of a policy violation, or (2) that is of a generic nature and not based on a protected characteristic. Addressing such conduct will not result in the imposition of discipline under University Policy, but may be addressed through respectful conversation, remedial actions, education, Alternative Resolution, or other mechanisms.

Sanction Ranges

The range of sanctions for the offenses detailed in this policy is warning through dismissal or termination. Sanctions can be assigned outside this range based on aggravating or mitigating circumstances, or the cumulative conduct record of the Respondent.

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Sexual Misconduct

7) **Sexual Exploitation:**[2]

- an individual taking non-consensual or abusive sexual advantage of another, that does not constitute Sex-based Harassment as defined above.
- for their own benefit or for the benefit of anyone other than the person being exploited.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy (e.g., doxxing)
- Knowingly making an unwelcome disclosure of (or threatening to disclose) an individual's sexual orientation, gender identity, or gender expression
- Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity; including the making or posting of non-consensual pornography

- Prostituting another person
  - Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection
  - Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity

[2] This offense is not classified under Title IX as "Sexual harassment," but it is included here in this Policy as a tool to address a wider range of behaviors.

- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Knowingly creating, possessing, or disseminating child sexual abuse images or recordings
- Creating or disseminating synthetic media, including images, videos, or audio representations of individuals doing or saying sexually related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., Deepfakes)

Other Prohibited Conduct

1) **Retaliation:**

- Adverse action, including intimidation, threats, coercion, or discrimination,
- against any person,
- by the University, a student, employee, or a person authorized by the University to provide aid, benefit, or service under the University's education program or activity,
- for the purpose of interfering with any right or privilege secured by law or Policy, or
- because the person has engaged in protected activity, including reporting information, making a Complaint, testifying, assisting, or participating or refusing to participate in any manner in an investigation or Resolution Process under the Nondiscrimination Procedures, including an Alternative Resolution process, or in any other appropriate steps taken by University of Detroit Mercy to promptly and effectively end any discrimination in its education program or activity, prevent its recurrence, and remedy its effects.

The exercise of rights protected under the First Amendment does not constitute retaliation. It is also not retaliation for the University to pursue Policy violations against those who make materially false statements in bad faith during a resolution under the Nondiscrimination Policy.

2) **Unauthorized Disclosure:**

- Distributing or otherwise publicizing materials created or produced during an investigation or Resolution Process except as required by law or as expressly permitted by University of Detroit Mercy; or
- publicly disclosing a party's personal identifiable information without authorization or consent.

3) **Failure to Comply/Process Interference**

- Intentional failure to comply with the reasonable directives of the Director in the performance of their official duties, including with the terms of a no contact order
- Intentional failure to comply with emergency removal or interim suspension terms
- Intentional failure to comply with sanctions

- Intentional failure to adhere to the terms of an agreement achieved through informal resolution
- Intentional failure to comply with mandated reporting duties as defined in this Policy
- Intentional interference with the resolution process, including but not limited to:
    - Destruction of or concealing of evidence
    - Actual or attempted solicitation of knowingly false testimony or providing false testimony or evidence of Intimidating or bribing a witness or party

Sanctions for the above-listed Offenses range from warning through dismissal or termination.

Consent, Force, and Incapacitation

As used in this Policy, the following definitions and understandings apply:

1) Consent

Consent is defined as:

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

2) Force

Force is the use of physical violence and/or physical imposition to gain sexual access. Sexual activity that is forced is, by definition, non-consensual, but nonconsensual sexual activity is not necessarily forced. Force is conduct that, if sufficiently severe, can negate consent.

Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent. Coercion is unreasonable pressure for sexual activity.

3) Incapacitation

Incapacitation is a state where a person is incapable of giving consent. An incapacitated person cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, and how" of their sexual interaction). A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including because of alcohol or other drug consumption.

This Policy also covers a person whose incapacity results from temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating substances.

<u>Consensual Relationships</u>

A. In General: There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions of power. In the University context, such positions include but are not

limited to teacher and student, supervisor and employee, tenured faculty and pre-tenure faculty, mentor and trainee, teaching assistant and student, coach and athlete, preceptor and student, staff and student, and the individuals who supervise the day-to-day student living environment and student residents. These relationships may, moreover, be less consensual than the individual whose position confers power believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect. The asymmetry of the relationship can lead to a potentially exploitative relationship. Where such a relationship exists, the University will in general be unsympathetic to a defense based upon consent when the facts establish that a power differential based on role existed within the relationship.

B. With Students. Romantic and/or sexual relationships between faculty and student, even mutually consenting ones, are a basic violation of professional ethics and responsibility when the faculty member has any responsibility for the student's academic performance or professional development. For the foregoing reasons, all romantic and/or sexual relationships between faculty and students in the instructional context are prohibited. No faculty member shall have a romantic and/or sexual relationship with a student who is enrolled in a course being taught by the faculty member or whose academic work is being supervised, directly or indirectly, by the faculty member. Romantic and/or sexual relationships between faculty and students that occur outside of the instructional or supervisory context may also lead to difficulties. The University reserves the right to impose any level of sanction ranging from a warning up to and including suspension or expulsion/termination, for any offense under this portion of the Nondiscrimination Policy.

Standard of Proof

University of Detroit Mercy uses the preponderance of the evidence standard of proof when determining whether a Policy violation occurred. This means that the University will decide whether it is more likely than not, based upon the available information at the time of the decision, that the Respondent is responsible for the alleged Policy violation(s).

Notice of Discrimination, Harassment, or Retaliation

A Report provides notice to University of Detroit Mercy of an allegation or concern about discrimination, harassment, or retaliation and provides an opportunity for the Director to provide information, resources, and supportive measures. A Complaint provides notice to the University that the Complainant would like to initiate an investigation or other appropriate resolution procedures. A Complainant or individual may initially make a Report and may decide at a later time to make a Complaint. Reports or Complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

1) File a Complaint with, or give Notice directly to, the Director or to any member of the Nondiscrimination Team. Such Notice may be made at any time by using the telephone number, email address, or by mail to the office of the Director or any other
Nondiscrimination Team member listed in this Policy. For Complaints of sexual harassment, a Formal Complaint filed and signed by the Complainant or the Title IX Coordinator is needed to initiate an investigation.

2) Submit online Notice using this reporting form. Anonymous Notice is accepted, but the Notice may give rise to a need to try to determine the Parties' identities. Anonymous Notice typically limits the Recipient's ability to investigate, respond, and provide remedies.

Reporting carries no obligation to initiate a Complaint, and in most situations, University of Detroit Mercy is able to respect a Complainant's request to not initiate a resolution process. However, there may be circumstances, such as pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, where the University may need to initiate a resolution process. If a Complainant does not wish to file a Complaint, the University will maintain the privacy of information to the extent possible.

Mandated Reporting and Confidential Employees

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

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

Confidential Employees

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

There are two categories of Confidential Employees: 1) Those with confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and counselors, and 2) Those whom University of Detroit Mercy has specifically designated as confidential for purposes of providing support and resources to the Complainant. For those in category 1), above, to be able to respect confidentiality, they must be in a confidential relationship with the person reporting, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving the Notice. These individuals will maintain confidentiality except in extreme cases of immediacy of threat or danger or when required to disclose by law or court order.

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with the following Confidential Employees:

- Wellness Center Staff
- Director of Student Health and Wellness Services, School of Dentistry
- Members of the Society of Jesus and Religious Sisters of Mercy working in their clerical capacity

Failure of a Mandated Reporter, as described above in this section, to report an incident of discrimination, harassment, or retaliation of which they become aware is a violation of University of Detroit Mercy Policy and can be subject to disciplinary action for failure to comply/failure to report.

This also includes situations when a harasser is a Mandated Reporter. Such individuals are obligated to report their own misconduct, and failure to do so is a chargeable offense under this Policy.

A Mandated Reporter who is themselves a target of harassment or other misconduct under this Policy is not required to report their own experience, though they are, of course, encouraged to do so.

In addition, Complainants may speak with individuals unaffiliated with University of Detroit Mercy without concern that Policy will require them to disclose information to the institution without permission:

- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

Disability-based Grievances and Complaints

Grievances related to provision of disability accommodations are addressed using the procedures listed on the Student Accessibility Services website. However, allegations of discrimination on the basis of an actual or perceived disability will be resolved under the Resolution Process defined in this policy.

Time Limits on Reporting

There is no time limitation on providing Reports or Complaints to the Director. However, if the Respondent is no longer subject to the University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.

Acting on Reports or Complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of Policy) is at the Director's discretion; they may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

False Allegations and Evidence

Deliberately false and/or malicious accusations under this Policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a determination of a Policy violation.

Additionally, witnesses and Parties who knowingly provide false evidence, tamper with or destroy evidence, or deliberately mislead an official conducting an investigation or resolution process can be subject to discipline under appropriate University policies.

Confidentiality/Privacy

University of Detroit Mercy makes every effort to preserve the Parties' privacy. The University will not share the identity of any individual who has made a Complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of discrimination, harassment, or

retaliation; any Respondent; or any witness, except as permitted by, or to fulfill the purposes, of applicable laws and regulations (e.g., Title IX), Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, or as required by law; including any investigation, or resolution proceeding arising under these policies and procedures.[3,4]

Unauthorized Disclosure of Information

Parties and Advisors are prohibited from unauthorized disclosure of information obtained by the University through the Resolution Process, to the extent that information is the work product of the University of Detroit Mercy (meaning it has been produced, compiled, or written by the University for purposes of its investigation and resolution of a Complaint). It is also a violation of University Policy to publicly disclose work product or a party's personally identifiable information without authorization or consent. Violation of this Policy is subject to significant sanctions.

Emergency Removal/Interim Actions/Leaves

The University may act to remove a student Respondent accused of sexual harassment entirely or partially from its education program or activities on an emergency basis after completion of an individualized safety and risk analysis resulting in a determination that the Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment. Students accused of other forms of discrimination are subject to interim suspension, which can be imposed for safety reasons.

When an emergency removal or interim suspension is imposed, wholly or partially, the affected student will be notified of the action, which will include a written rationale, and the option to challenge the emergency removal or interim suspension within two (2) days of the notification. Upon receipt of a challenge, the Director or a designee will meet with the student as soon as reasonably possible thereafter to allow them to show cause why the removal/action should not be implemented or should be modified.

Employees are subject to existing procedures for interim actions and leaves.

Federal Timely Warning Obligations

University of Detroit Mercy must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the University community.

The University will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions considering the potential danger.

Amnesty

The University community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to give Notice to University officials or participate in resolution processes because they fear that they themselves may be in violation of certain

[3] 20 U.S.C. 1232g

[4] 34 C.F.R. § 99

policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the University community that Complainants choose to give Notice of misconduct to University of Detroit Mercy officials, that witnesses come forward to share what they know, and that all Parties be forthcoming during the process.

To encourage reporting and participation in the process, University of Detroit Mercy maintains a Policy of offering Parties and witnesses amnesty from minor policy violations, such as underage alcohol consumption or the use of illicit drugs, related to the incident. Granting amnesty is a discretionary decision made by the University and does not apply to more serious allegations.

Preservation of Evidence

The preservation of evidence is critical to potential criminal prosecution and to obtaining restraining/protective orders, and it is particularly time sensitive. University of Detroit Mercy will inform the Complainant, if relevant, of the importance of preserving evidence by taking actions such as the following:

Sexual Assault

- Seek forensic medical assistance at the nearest hospital, ideally within 120 hours of the incident (sooner is better).
- Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.
- If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
- If clothes are changed, place soiled clothes in a paper bag or a secure evidence container
- Seeking medical treatment can be essential, even if it is not for the purposes of collecting forensic evidence.

Stalking/Dating Violence/Domestic Violence/Sexual Harassment

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

Federal Statistical Reporting Obligations

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

1) All "primary crimes," which include criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson
2) Hate crimes, which include any bias-motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property
3) Violence Against Women Act (VAWA-based crimes), which include sexual assault, domestic violence, dating violence, and stalking
4) Arrests and referrals for disciplinary action for weapons law violations, liquor law violations, and drug law violations

All personally identifiable information is kept private, but statistical information regarding the type of incident and its general location (on- or off-campus or in the surrounding area, but no addresses are given) must be shared with the Department of Public Safety for publication in the Annual Security Report and daily campus crime log.

Independence and Conflicts of Interest

The Director acts with independence and authority, free from bias and conflicts of interest. The Director oversees all resolutions under this Policy and these procedures. Individuals involved in the resolution process are vetted and trained to ensure they are not biased for or against any party in a specific Complaint, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Director, contact the University of Detroit Mercy President or Provost and Vice President for Academic Affairs. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other member of the resolution process should be raised with the Director.

Revision of this Policy

This Policy succeeds in previous policies addressing discrimination, harassment, sexual misconduct, and/or retaliation, though previous policies and procedures remain in force for incidents occurring before August 1, 2024. University of Detroit Mercy reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

If government laws or regulations change or court decisions alter the requirements in a way that impacts this document, this document will be construed to comply with the most recent government laws, regulations, or court holdings.

This document does not create legally enforceable protections beyond the protections of the background state and federal laws that frame such policies and codes, generally.

This Policy is effective August 1, 2024.

RESOLUTION PROCESS AND PROCEDURES FOR ALLEGED VIOLATIONS OF NONDISCRIMINATION

POLICY

Overview

University of Detroit Mercy will act on any Notice, Complaint, or Knowledge of a potential violation of the Nondiscrimination Policy ("the Policy") that is received by the Director or any other member of the Nondiscrimination Team by applying the Resolution Process below.

The procedures below apply to all allegations of discrimination on the basis of an actual or perceived protected characteristic, harassment, retaliation, or Other Prohibited Conduct as involving students, employees, or third parties.

Notice/Complaint

Upon receipt of Notice, a Complaint, or Knowledge of an alleged Policy violation, the Director or a designee will initiate a prompt initial evaluation to determine the University's next steps. The Director or designee will contact the Complainant to offer supportive measures, provide information regarding resolution options, and determine how they wish to proceed.

Collateral Misconduct

Collateral misconduct is defined to include potential violations of other University of Detroit Mercy policies not incorporated into the Nondiscrimination Policy that occur in conjunction with alleged violations of the Policy, or that arise through the course of the investigation, for which it makes sense to provide one resolution for all charges. Thus, the collateral allegations may be charged along with potential violations of the Policy, to be resolved jointly under these Procedures. In such circumstances, the Director may consult with University officials who typically oversee such conduct to solicit their input as needed on what charges should be filed, but the exercise of collateral charges under these procedures is within the discretion of Director. All other allegations of misconduct unrelated to incidents covered by the Policy will typically be addressed separately through procedures described in the student and employee handbooks.

Initial Evaluation

The Director conducts an initial evaluation typically within ten (10) days of receiving Notice, Complaint, or Knowledge of alleged misconduct. The initial evaluation typically includes an assessment of whether the reported conduct may reasonably constitute a violation of the policy, an assessment of jurisdiction, and offering and coordinating supportive measures for the Complainant and the Respondent, as applicable.

Dismissal

University of Detroit Mercy may dismiss a Complaint if, at any time during the investigation or Resolution Process, one or more of the following grounds are met:

1) The University is unable to identify the Respondent after taking reasonable steps to do so 2) The University no longer enrolls or employs the Respondent

3) A Complainant voluntarily withdraws any or all the allegations in the Complaint, and the Director declines to initiate a Complaint

4) Specific circumstances prevent the University from gathering evidence sufficient to reach a determination

5) The University determines the conduct alleged in the Complaint would not constitute a Policy violation, if proven

Upon any dismissal, University of Detroit Mercy will promptly send the Complainant written notification of the dismissal and the rationale for doing so. If the dismissal occurs after the Respondent has been made aware of the allegations, the University will also notify the Respondent of the dismissal.

For Formal Complaints of sexual harassment, the University must dismiss a Complaint if it is determined that the conduct alleged would not constitute sexual harassment as defined in the Policy even if proved; if the conduct alleged did not occur against a person in the United States; and/or at the time of filing a Formal Complaint, the Complainant is not participating in or attempting to participate in the education program or activity of the University.

Dismissal of a complaint under the 2020 Title IX regulations is solely a procedural requirement and does not limit the University's authority to address a complaint of harassment or discrimination of a member of a protected class as defined by this Policy.

Counter-Complaints

University of Detroit Mercy is obligated to ensure that the resolution process is not abused for retaliatory purposes. Although the University permits the filing of Counter-Complaints, the Director will use an initial evaluation, described above, to assess whether the allegations in the Counter-Complaint are made in good faith. When Counter-Complaints are not made in good faith, they will not be permitted. They will be considered potentially retaliatory and may constitute a violation of the Policy.

Counter-Complaints determined to have been reported in good faith will be processed using the Resolution Process below. At the Director's discretion, investigation into such claims may take place concurrently or after resolution of the underlying initial Complaint.

Advisors in the Resolution Process

The Parties may each have an Advisor present with them for all meetings and interviews within the Resolution Process, including intake. The Parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available. Employees who are part of a collective bargaining agreement with University of Detroit Mercy may have a union representative as an Advisor[5]. The Director will offer to assign a trained Advisor to any party if the party chooses.

Advisors are expected to maintain the confidentiality of the records the University shares with them. Advisors may not disclose any University work product or evidence the University obtained solely through the Resolution Process for any purpose not explicitly authorized by University of Detroit Mercy.

Resolution Option Overview

[5] The Advisor role of a UDMPU representative is primarily limited to ensuring that a UDMPU member's rights as detailed in the UDM & UDMPU Collective Bargaining Agreement are maintained.

This Resolution Process, consisting of Alternative Resolution or Administrative Resolution, is the University's chosen approach to addressing all forms of discrimination on the basis of protected characteristics, harassment, and retaliation. Parties may also choose only to receive reasonable supportive measures that are designed to restore or preserve the Complainant's access to the University's education program and activity. The process considers the Parties' preferences but is ultimately determined at the Director's discretion.

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

Alternative Resolution

To initiate Alternative Resolution, a Complainant or Respondent may make such a request to the Director at any time prior to a final determination, or the Director may offer the option to the Parties. University of Detroit Mercy will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Alternative Resolution before proceeding. Any party participating in Alternative Resolution can withdraw from the Alternative Process at any time and may initiate or resume the Administrative Resolution Process. Alternative Resolution is not available in response to allegations of sexual harassment where the Complainant is a student and the Respondent is an employee.

Alternative Resolution may involve agreement to pursue individual or community remedies, including educational programming or training; direct conversation or interaction with the Respondent(s); indirect action by the Director or other appropriate University officials; and other forms of resolution that can be tailored to the needs of the Parties.

The Director has the authority to determine whether Alternative Resolution is available or successful, to facilitate a resolution that is acceptable to all Parties, and/or to accept the Parties' proposed resolution. The Director maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. The results of Complaints resolved by Alternative Resolution are not appealable.

Administrative Resolution (see below)

Notice of Investigation and Allegations

Prior to an investigation, the Director will provide the Parties with a detailed written Notice of Investigation and Allegations (NOIA). Amendments and updates to NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations.

The NOIA typically includes:

- A meaningful summary of all allegations
- The identity of the involved Parties (if known)
- The precise misconduct being alleged
- The date and location of the alleged incident(s) (if known)
- The specific policies/offenses implicated
- A description of, link to, or copy of the applicable procedures

- A statement that the Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence
- A statement that the University of Detroit Mercy presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination
- A statement that retaliation is prohibited
- A statement that the Parties may have an Advisor of their choice who may accompany them through all steps of the Resolution Process
- Detail on how a party may request disability accommodations during the Resolution Process

Notification will be emailed to the Parties' University-issued email or designated accounts. For complaints of sexual harassment, notification will be delivered to parties simultaneously upon receipt of a Formal Complaint. Once sent, the notification will be presumptively delivered.

Resolution Timeline

University of Detroit Mercy will make a good faith effort to complete the Resolution Process within ninety to one hundred twenty (90-120) days, including any appeals, which can be extended as necessary for appropriate cause by the Director. The Parties will receive regular updates on the progress of the Resolution Process, as well as notification and a rationale for any extensions or delays, and an estimate of how much additional time will be needed to complete the process.

If a party or witness chooses not to participate in the Resolution Process or becomes unresponsive, the University reserves the right to continue it without their participation to ensure a prompt resolution. Non-participatory or unresponsive Parties retain the rights outlined in this Policy and the opportunity to participate in the Resolution Process.

The University may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. The University will promptly resume its Resolution Process as soon as feasible. The University will make a good faith effort to complete the Resolution Process as promptly as circumstances permit and will communicate regularly with the Parties to update them on the progress and timing of the process. Interim and/or supportive measures will remain in place for the duration of the Resolution Process, including any extensions or delays.

Ensuring Impartiality

Any individual materially involved in the administration of the Resolution Process, including the Director, Investigator(s), and Decision-maker(s), may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Director will vet the assigned Investigator(s), Decision-maker(s), and Appeals officers for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Resolution Process, the Parties may raise a concern regarding bias or conflict of interest, and the Director will determine whether the concern is reasonable and supportable. If so, another individual will be assigned, and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Director, concerns should be raised with the Provost and Vice President for Academic Affairs.

Interview Recording

Investigator(s) in the Resolution Process may record all interviews. The Parties may review a recording or transcript of their own interviews, upon request. No unauthorized audio or video recording of any kind is permitted during investigation meetings.

Evidentiary Considerations

The Investigator(s) and the Decision-maker(s) will only consider evidence that is deemed relevant and not otherwise impermissible. Relevant evidence is that which may aid in determining whether the allegation occurred, or whether the behavior constitutes a violation of Policy. The following types of evidence, and questions seeking that evidence, are impermissible regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by federal or state law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;

- A Party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless University of Detroit Mercy obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and

- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Respondent Admits Responsibility

At any point in the proceedings, if a Respondent elects to admit to the charged violations and waive further process, the Decision-maker is authorized to accept that admission, adopt it as their finding/final determination, and administer sanctions. This would also waive all rights to appeal for the Respondent. If the Respondent rejects the finding/final determination/sanctions, or does not admit to all conduct charged, the Resolution Process continues to its conclusion.

Investigation

All investigations are adequate, thorough, reliable, impartial, prompt, and fair. They involve interviews with all relevant Parties and witnesses, obtaining relevant evidence, and identifying sources of expert information, as necessary.

The University may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, when the allegations arise from the same facts or circumstances or implicate a pattern, collusion, and/or other shared or similar actions.

Administrative Resolution Process

The Administrative Resolution Process is used for Complaints of discrimination on the basis of protected characteristics, harassment, retaliation, and Other Prohibited Behaviors (as defined in Policy) or when Alternative Resolution is either not elected or is unsuccessful.

The Administrative Resolution Process relies on an investigation and all relevant evidence to make a finding and determine sanctions, if applicable. The University makes a good faith effort to complete the Administrative Resolution Process within a reasonably prompt timeframe, typically thirty to sixty (30-60) days from the conclusion of the investigation. The Parties will be updated regularly and notified of any significant delays or deviations from the stated timeline.

Notice of Outcome

Within thirty (30) days of the conclusion of the Resolution Process, the Director provides the Parties with a written outcome notification. The outcome notification will specify the finding for each alleged Policy violation, any applicable sanctions that the University is permitted to share pursuant to state or federal law, and a rationale supporting the findings.

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

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

Administrative Resolution Process for Allegations of Sexual Harassment

When the Administrative Resolution Process is used to resolve Formal Complaints of sexual harassment, the following procedures apply.

Investigation

An Investigator will notify all parties in writing of the date, time, and location of their interview(s). The Investigator will interview all parties and witnesses and allow each party the opportunity to suggest witnesses and questions they wish the Investigator to ask of another party and/or witnesses. Following the interviews, the Investigator will write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence.

Prior to the conclusion of the investigation, the Investigator will provide the parties and their respective Advisors (if so desired by the parties) a copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the University does not intend to rely in reaching a determination, for a ten (10) day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten (10) days.

The Investigator will Incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the

report. The Investigator will incorporate any relevant feedback and share the final report with all parties and their Advisors at least ten (10) days prior to a hearing. The parties and Advisors are also provided with a file of any directly related evidence that was not included in the report.

Referral for Hearing

Provided that the complaint is not resolved through Alternative Resolution, once the final investigation report is shared with the parties, the Director will refer the matter for a hearing.

The hearing cannot be held less than ten (10) days from the conclusion of the investigation–when the final investigation report is transmitted to the parties and the Decision-maker(s)–unless all parties and the Decision-maker(s) agree to an expedited timeline.

The University will designate a Decision-maker who will not have had any previous involvement with the complaint. The Director may not serve as a Decision-maker in the matter but may serve as an administrative facilitator of the hearing. The hearing will be convened at a time and venue determined by the Director.

Hearing Notice

No less than ten (10) days prior to the hearing,[6] the Director will send notice of the hearing to the parties. Once emailed, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing.
- Description of any technology that will be used to facilitate hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker based on demonstrated bias or conflict of interest. This must be raised with the Director at least two (2) days prior to the hearing.
- Information on how the hearing will be recorded and how the parties can access the recording after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Director may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Director if they wish to conduct cross-examination and do not have an Advisor, and the University will appoint one. Each party must have an Advisor present if they intend to cross-examine others. There are no exceptions.
- An invitation to contact the Director to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing.

Pre-Hearing Meetings

The Decision-maker may convene a pre-hearing meeting with the parties and their Advisors and invite them to

[6] Unless an expedited hearing is agreed to by all parties.

submit the questions or topics they wish to ask or discuss at the hearing, so that the Decision-maker can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or to provide recommendations for more appropriate phrasing.

Hearing Procedures

Participants at the hearing will include the Decision-maker, any additional panelists, the Investigator who conducted the investigation, the parties, Advisors to the parties, any called witnesses, and anyone providing authorized accommodations, interpretation, and/or assistive services. The Decision-maker will answer all questions of procedure.

Once the Investigator presents the report and responds to questions, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Decision-maker. The hearing will facilitate questioning of parties and witnesses by the Decision-maker and then by the parties through their Advisors.

All questions are subject to a relevance determination by the Decision-maker. The Decision-maker will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Decision-maker has final say on all questions and determinations of relevance.

Refusal to Submit to Questioning; Inferences

Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. The Decision-maker can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Decision-maker may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to cross-examination or answer other questions.

Hearing Recordings

Hearings are recorded by the University for purposes of review in the event of an appeal. The parties may not record the proceedings, and no other unauthorized recordings are permitted.

The Decision-maker, the parties, their Advisors, and appropriate administrators of the University will be permitted to review the recording or review a transcript of the recording, upon request to the Director. No person will be given or be allowed to make a copy of the recording without permission of the Director.

Deliberation, Decision-making, and Standard of Proof

The Decision-maker will determine whether the Respondent is responsible for the policy violation(s) in question, then prepare a written statement detailing all findings and final determinations, the rationale(s) explaining the decision(s), the evidence used in support of the determination(s), the evidence not relied upon in the determination(s), any credibility assessments, and any sanction(s) or recommendation(s) and rationales explaining the sanction(s) and will deliver the statement to the Director.

Notice of Outcome

The Notice of Outcome will be shared with the parties simultaneously within ten (10) days of the delivery of

the Decision-maker's deliberation to the Director. Notification will be emailed to the parties' University-issued email or otherwise approved account. Once sent, notice will be presumptively delivered.

The Notice of Outcome will specify the finding for each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the University is permitted to share such information under state or federal law; any sanction(s) issued which the University is permitted to share according to state or federal law; and whether remedies will be provided to the Complainant to ensure access to the University's educational or employment program or activity.

The Notice of Outcome will also include information on when the results are considered final by the University, will note any changes to the outcome and/or sanction(s) that occur prior to finalization, and the relevant procedures and bases for appeal.

Sanctions

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

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

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

Withdrawal or Resignation Before Complaint Resolution

Students

Should a student Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If a student Respondent withdraws from the University, the Resolution Process may continue, or the Director may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, University of Detroit Mercy will still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Regardless of whether the Complaint is dismissed or pursued to completion of the Resolution Process, University of Detroit Mercy will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged discrimination, harassment, and/or retaliation.

When a student withdraws or leaves while the process is pending, the student may not return to the University in any capacity until the Complaint is resolved and any sanctions imposed are satisfied. If the student indicates they will not return, the Director has discretion to dismiss the Complaint. The Registrar and Office of Admissions will be notified accordingly.

If the student Respondent takes a leave for a specified period of time (e.g., one semester or term), the Resolution Process may continue remotely. If found in violation, that student is not permitted to return to the University unless and until all sanctions, if any, have been satisfied.

Employees

Should an employee Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If an employee Respondent withdraws from the University with unresolved allegations pending, the
Resolution Process may continue, or Director may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, the University may still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged discrimination, harassment, and/or retaliation.

When an employee resigns and the Complaint is dismissed, the employee may not return to the University in any capacity, and a note will be placed in the employee's file that they resigned with allegations pending and are not eligible for academic admission or rehire with the University. The records retained by the Director will reflect that status.

Appeal of the Determination

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

Appeal Grounds

Appeals are limited to the following grounds:

1) A procedural irregularity that affected the outcome
2) New evidence that could affect the outcome and that was not reasonably available at the time the determination regarding responsibility or dismissal was made
3) The Director, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that would change the outcome

Request for Appeal

Any party may submit a written request for appeal ("Request for Appeal") to the Director within five (5) days of the delivery of the Notice of Outcome.

The Request for Appeal will be forwarded to the Appeal Decision-maker for consideration to determine if the request meets the grounds for appeal. This is not a review of the merits of the appeal, but solely a

determination as to whether the request could reasonably be construed to meet the grounds and is timely filed.

Appeal Determination Process

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Appeals Decision-maker will deliberate as soon as is practicable and discuss the merits of the appeal.

Appeal decisions are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so. All decisions are made using the preponderance of the evidence standard.

Appeal Outcome

An appeal may be granted or denied. A Notice of Appeal Outcome letter will be sent to all Parties simultaneously, or without significant time delay between notifications. Written notification will be emailed to the Parties' University-issued email or otherwise approved account. Once sent, the Appeal Outcome will be presumptively delivered. Once an appeal is decided, the outcome is final and constitutes the Final Determination; further appeals are not permitted.

Sanction Status During the Appeal

Any sanctions imposed as a result of the determination are stayed during the appeal process, and supportive measures may be maintained or reinstated until the appeal determination is made.

Long-Term Remedies/Other Actions

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented or Informal Resolution terms, the Director may implement additional long-term remedies or actions with respect to the Parties and/or the University community that are intended to stop the discrimination, harassment, and/or retaliation, remedy the effects, and prevent recurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Course and registration adjustments, such as retroactive withdrawals
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Implementation of long-term contact limitations between the Parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Director, certain long-term supportive measures may also be provided to the Parties

even if no Policy violation is found.

When no Policy violation is found, the Director will address any remedies the University owes the Respondent to ensure no effective denial of educational access.

University of Detroit Mercy will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair the University's ability to provide these services.

Failure to Comply with Sanctions, Responsive Actions, and/or Alternative Resolution Terms

All Respondents are expected to comply with the assigned sanctions, responsive actions, corrective actions, and/or Alternative Resolution terms within the timeframe specified by the final Decision-maker(s), including the Appeal Decision-maker or the Alternative Resolution agreement.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the University.

Recordkeeping

For a period of at least seven (7) years following the conclusion of the Resolution Process, University of Detroit Mercy will maintain records of:

1) Each discrimination, harassment, and retaliation resolution process, including determination regarding responsibility or appeal, and any audio or audiovisual recording or transcript required under federal regulation
2) Any disciplinary sanctions imposed on the Respondent
3) Any supportive measures provided to the Parties and any remedies provided to the Complainant or the community designed to restore or preserve equal access to the University's education program or activity
4) Any appeal and the result therefrom
5) Any Alternative Resolution and the result therefrom
6) All materials used to train all employees consistent with the requirements in the Title IX Regulations.

University of Detroit Mercy will also maintain any and all records in accordance with state and federal laws.

Accommodations and Support During the Resolution Process

<u>Disability Accommodations</u>

University of Detroit Mercy is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the University's Resolution Process.

Anyone needing such accommodations or support should contact the Director, who will work with disability support colleagues as appropriate to review the request and, in consultation with the person requesting the accommodation, determine which accommodations are appropriate and necessary for full process

participation.

Revision of these Procedures

These procedures succeed in any previous procedures addressing discrimination, harassment, and retaliation for incidents occurring on or after August 1, 2024. The Director will regularly review and update these procedures. The University reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

If governing laws or regulations change, or court decisions alter the requirements in a way that impacts this document, this document will be construed to comply with the most recent governing laws or regulations or court holdings.

This document does not create legally enforceable protections beyond the protections of the background state and federal laws that frame such policies and codes, generally.

These procedures are effective August 1, 2024.

APPENDIX A: DEFINITIONS

The following definitions apply to the Nondiscrimination Policy and Procedures:

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

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

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

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

- ***Complainant.*** A student or employee who is alleged to have been subjected to conduct that could constitute discrimination, harassment, or retaliation under the Policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination or harassment or under the Policy and who was participating or attempting to participate in the University's education program or activity at the time of the alleged discrimination, harassment or retaliation.

- ***Complaint.*** An oral or written request to University of Detroit Mercy that can objectively be understood as a request for the University to investigate and make a determination about the alleged Policy violation(s).

- ***Confidential Employee.***

- An employee whose communications are privileged or confidential under federal or state law. The employee's confidential status, for purposes of this definition, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
- An employee whom the University has designated as confidential under this Policy for the purpose of providing services to persons related to discrimination, harassment, or retaliation. If the employee also has a duty not associated with providing those services, the employee's confidential status only applies with respect to information received about discrimination, harassment, or retaliation in connection with providing those services; or

- ***Day.*** A business day when the Recipient is in normal operation. All references in the Policy to days refer to business days unless specifically noted as calendar days.

- ***Decision-maker.*** The person or panel who hears evidence determines relevance, and makes the Final Determination of whether Policy has been violated and/or assigns sanctions.

- ***Education Program or Activity.*** Locations, events, or circumstances where the University exercises substantial control over the context in which the discrimination, harassment, and/or retaliation occurs and also includes any building owned or controlled by a student organization that the University officially recognizes.

- ***Employee.*** A person employed by University of Detroit Mercy either full- or part-time, including student employees when acting within the scope of their employment.

- ***Final Determination*****.** A conclusion by the standard of proof that the alleged conduct did or did not violate Policy.

- ***Finding.*** A conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a "finding of fact").

- ***Formal Complaint.*** A signed written request for the University to investigate and make a determination about the alleged Policy violation(s) involving sexual harassment as defined in the Policy.

- ***Investigation Report.*** The Investigator's summary of all relevant evidence gathered during the investigation.

- ***Investigator.*** The person(s) authorized by University of Detroit Mercy to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an Investigation Report.

- ***Knowledge.*** When University of Detroit Mercy receives Notice of conduct that reasonably may constitute harassment, discrimination, or retaliation in its Education Program or Activity.

- ***Mandated Reporter.*** A University of Detroit Mercy employee who is obligated by Policy to share Knowledge, Notice, and/or reports of sex discrimination, sex-based harassment, and/or retaliation with the Director.

- ***Nondiscrimination Team*****.** The Executive Director of Equal Opportunity, any deputy coordinators, and any member of the Resolution Process.

- ***Notice.*** When an employee, student, or third party informs the Director of the alleged occurrence of discriminatory, harassing, and/or retaliatory conduct.

- ***Parties.*** The Complainant(s) and Respondent(s), collectively.
- ***Pregnancy or Related Conditions.*** Pregnancy, childbirth, termination of pregnancy, or lactation, medical conditions related thereto, or recovery therefrom.
- ***Protected Characteristic.*** Any characteristic for which a person is afforded protection against discrimination and harassment by law or University Policy.
- ***Relevant Evidence.*** Evidence that may aid a Decision-maker in determining whether the alleged discrimination, harassment, or retaliation occurred, or in determining the credibility of the Parties or witnesses.
- ***Remedies.*** Typically, post-resolution actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore or preserve equal access to the University's Education Program and Activity.
- ***Resolution Process.*** The investigation and resolution of allegations of prohibited conduct under this Policy, including Alternative Resolution and Administrative Resolution.
- ***Respondent.*** A person who is alleged to have engaged in conduct that could constitute discrimination based on a protected characteristic, harassment, or retaliation for engaging in a protected activity under this Policy.
- ***Sanction.*** A consequence imposed on a Respondent who is found to have violated this Policy.
- ***Sex.*** Sex assigned at birth, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.
- ***Student.*** Any person who has gained admission.
- ***Title IX Coordinator***. The official designated by University of Detroit Mercy to ensure ultimate oversight of compliance with Title IX and the University's Title IX program. References to the Coordinator throughout the Policy may also encompass a designee of the Coordinator for specific tasks.

APPENDIX B: NONDISCRIMINATION TEAM

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

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Revised April 1, 2026.

SEXUAL ASSAULT REGISTRATION

PURPOSE

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

SCOPE

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

SEXUAL ASSAULT DEFINED

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

POLICY

In accordance 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, the Detroit Mercy Department of Public Safety is providing a link to the Michigan Department of State Police (MSP) Sex Offender Registry.

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

MSP Public Sex Offender Registry (SOR) is available via the Internet pursuant to Offenders Registration Act, MCL 28.721et seq. Registry information provided under this section shall be used for the purpose of the administration of criminal justice, screening of current or prospective employee, volunteers, or otherwise for the protection of the public in general and children in particular.

Unlawful use of the information for the purpose of intimidating or harassing another is prohibited and willful violation shall be punishable through the legal system. These sites are maintained by the Michigan State Police.

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

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

Michigan State Police Sex Offender Registry
http://www.michigan.gov/msp/0,1607,7-123-1589_1878_24961---,00.html

WEAPON-FREE CAMPUS

WEAPON-FREE CAMPUS

In the interest of protecting its students, employees, and visitors from violence and to maintain campus safety, the University of Detroit Mercy strictly forbids the possession or use of dangerous weapons on any of its campuses. This prohibition includes individuals licensed to carry a concealed weapon. The only exceptions to this policy are those members of Detroit Mercy Public Safety who are licensed to carry a weapon and are authorized by Detroit Mercy to carry a weapon, and those law enforcement officers entering any Detroit Mercy campus in the line of duty. In compliance with applicable Michigan law, Detroit Mercy strictly forbids the carrying of concealed weapons in Detroit Mercy classrooms and Residence Halls, regardless of whether the individual is licensed to carry a concealed weapon and/or authorized by Detroit Mercy to carry a concealed weapon.

This policy applies to students, employees, temporary employees, independent contractors, and visitors to Detroit Mercy. Students violating this policy will be subject to immediate discipline, up to and including expulsion. Anyone (employee, temporary employee, or independent contractor) who is performing work for Detroit Mercy and violates this policy, will be subject to immediate termination. Visitors and any others who violate this policy will be immediately escorted off campus and/or turned over to local law enforcement authorities as appropriate.

"Weapons" include handguns, pistols, firearms, explosives, knives, and other weapons as defined by Michigan law or local ordinance. Questions about whether an item is covered by this policy should be addressed to the Director of Detroit Mercy Public Safety or to Human Resources as appropriate. Employees and students have the responsibility to determine whether possession or use of any questionable item not listed above violates this policy.

The sites covered by this policy includes all campus property, including buildings, open parking lots, walkways, driveways, areas between buildings, open areas, and those off-campus locations under the control of Detroit Mercy. This policy also applies to all vehicles owned or leased by Detroit Mercy and all vehicles that enter any Detroit Mercy campus.
Detroit Mercy reserves the right at any time and at its discretion to search all Detroit Mercy-owned or leased vehicles, and all vehicles entering any Detroit Mercy campus. Detroit Mercy also reserves the right at any time and at its discretion to search all packages, backpacks, duffels, handbags, boxes, bags, containers, dormitory rooms, lockers, desks, work areas, and persons entering the campus, to determine

whether a person or persons have brought weapons onto any Detroit Mercy campus in violation of this policy. Any student or employee who refuses to permit a search will be subject to discipline up to and including expulsion or discharge, as appropriate. Independent contractors will be subject to termination and immediate removal from the campus. (Reprint from Employee Handbook)

WORKPLACE VIOLENCE

It is the policy of the University of Detroit Mercy to establish and maintain a safe and healthy climate conducive to a respectful workplace for its employees; therefore, no acts of verbal, physical, or emotional intimidation, harassment, or assault will be tolerated in any context or degree by University students, staff, faculty, and administrators. This policy extends to independent contractors, vendors, or others who conduct business with the University on the campuses.
No weapons of any kind will be allowed on any location owned, leased, or operated by the University of Detroit Mercy, except by law enforcement agencies including University police officers in compliance with the University of Detroit Mercy Weapon Free Campus Policy.

Employees and supervisors should understand how important it is to recognize early warning signs of potential violent conduct. Examples of such warning signs include:

- A history of emotional or mental disturbance
- A history of threatening or violent behavior
- Paranoid or easily panicked behavior
- Serious and unpredictable mood swings
- Fascination or preoccupation with weapons
- Extreme stress from personal problems or a life crisis
- Extreme stress as a response to a workplace condition
- Being a loner with little or no involvement with other employees
- Engaging in frequent disputes with supervisors or fellow employees
- Routine violation of University policy
- No interests outside of work

Supervisors who become aware of behavior patterns similar to those listed above should contact Human Resources.

Threats of violence are serious and should be treated as such. Threatening behavior can include:

- Throwing objects
- Making verbal threats to harm another individual or destroy property
- Making menacing gestures
- Sending threatening faxes, e-mails or notes to other employees
- Expressing significant grudges against other employees
- Displaying an intense or obsessive personal interest with others that exceeds normal bounds
- Attempting to intimidate or harass other individuals
- Behavior indicating that the individual is significantly out of touch with reality to the extent that the person poses a danger or threat to himself or herself or others

All members of the University community are responsible for notifying their supervisor of any threats, actual or perceived, which have been witnessed, received, or if they have been told that another person has witnessed or received, whether or not those involved are members of the Detroit Mercy Community. The supervisor shall notify Human Resources (313) 993-1036 who will contact Public Safety. In cases where Human Resources is unavailable by telephone between the hours of 8:30 a.m. and 5:00 p.m. or where there is an immediate threat or perceived danger, the employee, or supervisor should immediately notify Public Safety utilizing the campus emergency assistance number (313) 993-1234.

Employees also are encouraged to notify their supervisor or Human Resources whenever they experience domestic conflict, abuse or misdirected affection outside their work environment. The supervisor/Human Resources then can be more alert to the intrusion into the workplace by a third party and possibly take preventive measures. Any employee who applies for and obtains a personal protective or restraining order that lists the University of Detroit Mercy as a protected area must provide his or her supervisor, Human Resources and Public Safety a copy of the petition and declarations used to seek the order, plus a copy of any temporary protective or restraining order that is granted. The University understands the sensitivity of the information requested and will treat it confidentially with respect to the privacy of the reporting employee.

Human Resources, in cooperation with Public Safety, will investigate reports of violence. All those covered by this policy must cooperate fully when questioned regarding violations of this policy. Employees who report incidents of workplace violence and/or respond to investigations may request to do so confidentially. Such requests will be honored to the extent legally allowable.

Employees who are found to have violated this policy by threatening another individual with violence or engaging in violent behavior will be disciplined up to and including possible immediate discharge depending on the severity of the circumstances. (Reprint from Employee Handbook)

SAFETY AWARENESS PROGRAMMING 2025

January

- Basic Life Skills (CPR)
- ERP Training

February

- Basic Life Skills (CPR)

March

- Basic Life Skills (CPR)
- Alcohol Awareness in Conjunction with Spring Break
- St. Patties Kahoot's: AOD event

April

- Sexual Assault Awareness Month - Postings in Sacred Heart Square (PWEs)
- Sexual Assault Awareness Month - Pin giveaways (PWEs)

- “Pot Talk”: 4/20 Event, planting flowers in a decorated pot, cannabis safety points

May

- Consent Training for RAs and Ols

June

- Summer First Year Orientation
- Consent Training
- Stop The Bleed

July

- Summer First Year Orientation Consent Training
- Stop the Bleed

August

- Sigma Pi Policy Conversation
- OPR Training (Suicide Awareness Training)-First Year Orientation Student Orientation
- Alcohol Awareness-First Year Orientation
- Hazing Prevention-First Year Orientation
- Stop The Bleed
- ERP Training

September

- Fraternity & Public Safety Annual Risk Management Meeting
- Suicide Awareness Training (OPR)
- NAMI Walk-Mental Health Awareness (Student Affairs, Public Safety and University Services)

October

- Faculty Moderator Policy Refresh Sessions
- Student Organization Leadership Conference
- Greek Week Modules:-Hazing, Alcohol and Risk Management
  Mocktails & Kahoot's: medical amnesty awareness
  Boos and Booze: Alcohol awareness event during College Alcohol Awareness Week
  Alcohol Awareness Programming in Residence

November

December

UNIVERSITY OF DETROIT MERCY EMERGENCY RESPONSE AND EVACUATION EMERGENCY ALERT SYSTEM

The Emergency Response Plan defines for the University of Detroit Mercy community the framework necessary to respond to emergencies. One measure of an organization's strength is its ability to respond well in an emergency. Since every scenario cannot be predicted, an emergency plan must be able to adapt quickly to events as they unfold. The University response needs to be quick, professional, supportive, person-centered, and meet the emerging demands of any emergency or crisis situation. This plan is designed to be flexible because an emergency may be sudden and without warning.

The President or designee (most senior Executive Officer when President is unavailable) shall declare a state of emergency when, upon recommendation of the Chief/Director of Public Safety, it is deemed necessary to activate emergency procedures and/or close all or part of the University.

The President or designee can convene the President's Council as the situation dictates.

The President or designee shall declare an end to the state of emergency when hazards no longer exist.

Following is the list of University designees who have decision-making responsibilities in case of an emergency or crisis at the University of Detroit Mercy.

- President
- Provost, VPAA
- Vice President of Business and Finance
- Associate Vice President of Facilities Management & Campus Services
- Chief/Director of Public Safety

University of Detroit Mercy Emergency Alert is a mass, urgent notification system, comprised of a variety of methods by which the University, without undue delay, will notify students, faculty and staff of an active, major campus emergency or dangerous situation involving and immediate threat to the health or safety of student or employees occurring on campus:

- Text message (SMS) to cell phones
- Voice message to telephones
- Emails
- University Website posting
- University Twitter feed
- University Facebook
- Some campus digital signs

When the University of Detroit Mercy DPS Chief or Command Officers confirm there is a significant active emergency or dangerous situation impacting the public safety of the campus, an urgent notification will be sent without undue delay through the University of Detroit Mercy Mass Notification System. Initial confirmation by DPS may occur by observation of a police or security officer, multiple witness telephone

calls, alarms activating in the DPS Communications Center or a confirmed report from another emergency responding agency (such as the National Weather Service, the fire department, ambulance, hazardous materials response team, FBI, County Public Health, etc.) Unless the notification, in the professional judgment of responsible authorities compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Examples of activations may include:

- When a person actively shooting a weapon is threatening campus
- When a tornado warning is issued for the county
- When a major hazardous material spill is impacting a large portion of campus
- When University of Detroit Mercy administration declares an Emergency Reduction in operations
- Closure or Selective Campus Closure
- Delay start of classes

Localized incidents within a building (such as a small fire, hazardous material spill in a lab, water leak,) probably will not require a mass notification. The emergency message content will contain pre-scripted brief messages content developed in consultation with the DPS Chief and University Rave Notification Team. The message will be sent by the University Marketing and Public Affairs Department. The University Rave Notification team consists of:

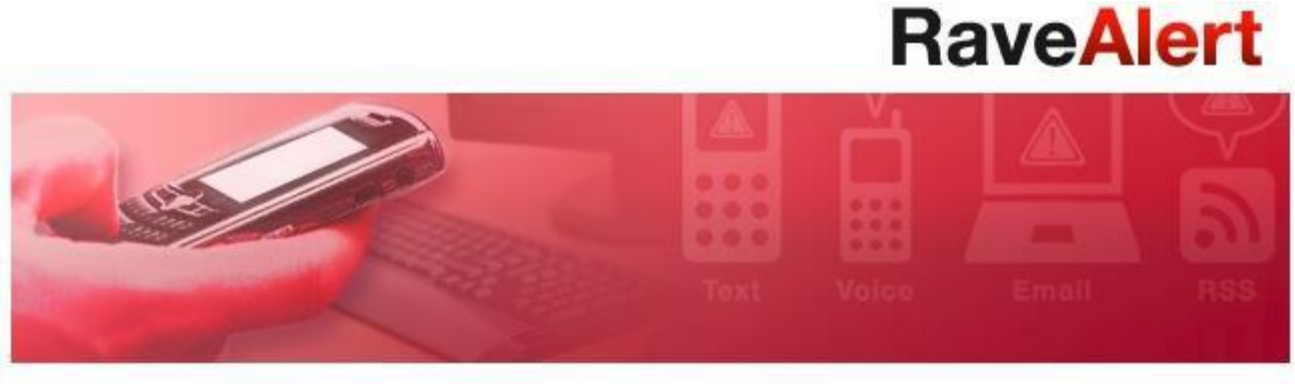
- Chief/Director Department of Public Safety
- Associate Vice President Facilities Management & Campus Services Division
- Associate Vice President University IT
- Associate Vice President Marketing and Public Affairs
- Director- Media Relations

This information will be shared to help the public take action for their safety, unless, in the professional judgment of DPS command, issuing a notification will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Follow-up information, including an “all-clear” message, will be disseminated as appropriate. University of Detroit Mercy Mass Notification systems are issued campus-wide, not to smaller segments of the community. In order to receive urgent notification alert messages, faculty, staff and students may register through Rave Mobile Safety System. University Mass Notification System is tested and documented yearly by Associate Vice President University ITS.

REGISTER FOR UNIVERSITY OF DETROIT MERCY MASS NOTIFICATION ALERT SYSTEM

Register for University of Detroit Mercy emergency communications and be among the first to receive alerts on class cancellations or other emergency notices via text message and email through the Rave Mobile Safety system.



All faculty, staff and students are enrolled in the free program but must register to confirm contact information and choose notification preferences (cell phones, landline phones, text pagers or emails).

To log in, scan to adjacent QR code or go to www.getrave.com/login/udmercy. Use your Titan Connect user name and password and then click the Log In button. Follow the screen prompts to modify contact information and select notification devices.

University of Detroit Mercy provides emergency response and guidance for the McNichols Campus, Corktown Campus and Riverfront Campus. Emergency response and evacuation procedures are identified in the Detroit Mercy Emergency Response Procedure (ERP) and in individual Building Emergency Plans. The ERP outlines how the University of Detroit Mercy community (students, faculty, staff and visitors) conducts emergency response actions for specific emergency situations. The ERP is available online at: www.udmercy.edu/publicsafety/EmergencyPreparedness

Emergency Procedure Guides with basic instructions are available from DPS. Students, faculty and staff with questions about emergency procedures in their building should check with their Facility Manager or college office, Building Coordinator or contact DPS at (313) 993-1234. Emergency preparedness plans are exercised at minimum of once a year in each academies building.

Detroit Mercy students and employees that teach or take classes at a satellite campus, such as Aquinas College must sign up for the respective Emergency Alert Systems at this campus. University of Detroit Mercy does not control the Emergency Alert Systems at their campus.

Aquinas College – Students will need to sign up using their Aquinas College email
https://www.aquinas.edu/offices/campus-safety/aq-cares-app.html

Shelter in Place

Shelter in place means to seek immediate shelter and remain there during an emergency rather than evacuate the area. Taking shelter inside may be in response to an external hazard such as a chemical release from an industrial or transportation accident, hazardous weather, police, fire or public health emergencies, or acts of violence. Since each situation is unique, shelter in place techniques may vary based on the incident. All decision to shelter in place will be made by DPS and notification will be through University Mass Notification System and by DPS Personnel or other responding emergency personnel.

You must immediately seek shelter in the nearest facility or building (preferably in a room with no windows). Example of shelter in place:

- Tornado Warning
- Hazardous Materials (HAZMAT)
- Active Shooter
- Building Intruder
- Civil Disturbance

Academic Building Emergency Preparedness/Fire drills are conducted once yearly. Resident Halls Emergency Preparedness/Fire drills are conducted each semester for all occupied facility. The fall semester exercise/drill is conducted within the first 21 days of start of semester. The University of Detroit Mercy follows PA 481 of 2014, amends PA 2017 of 1941, MCL 29.19a, Section 19a (1-5). These Emergency Preparedness/Fire drills could be announced or unannounced. The University also conducts tabletop exercises, functional or full-scale exercises.

REPORTED CRIME STATISTICS- CORKTOWN CAMPUS

Crimes	2023	2024	2025
Aggravated Assault	0	0	0
Arson	0	0	0
Burglary	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Motor Vehicle Theft	0	2	0
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Sex Offenses- Non Forcible[2]	1	0	0
Sex Offenses- Forcible[2]	0	0	0
Stalking	0	0	0

Crimes	2023	2024	2025
Aggravated Assault	0	0	0
Arson	0	0	0
Burglary	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Motor Vehicle Theft	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0

Crimes	2023	2024	2025
Robbery	0	0	0
Sex Offenses-Non Forcible[2]	0	0	0
Sex Offenses-Forcible[2]	0	0	0
Stalking	0	0	0

NON-CAMPUS PUBLIC PROPERTY

Crimes	2023	2024	2025
Aggravated Assault	0	0	0
Arson	0	0	0
Burglary	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Motor Vehicle Theft	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Sex Offenses-Non Forcible[2]	0	0	0
Sex Offenses-Forcible[2]	0	0	0
Stalking	0	0	0

UNFOUNDED CRIMES

There were zero unfounded Clery geography crimes in 2023.

HATE CRIMES

All categories include all crimes of prejudice—actual or perceived—race, gender, sexual orientation, ethnicity, or disability

ON-CAMPUS

Crimes	2023	2024	2025
Aggravated Assault	0	0	0
Arson	0	0	0
Burglary	0	0	0
Intimidation	0	0	0
Larceny - Theft	0	0	0
Motor Vehicle Theft	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Other Crimes with Bodily Injury	0	0	0
Property Destruction, Damage, or Vandalism	0	0	0
Robbery	0	0	0
Sex Offenses- Non-Forcible	0	0	0
Sex Offenses-Forcible	0	0	0

NON-CAMPUS

Crimes	2023	2024	2025
Aggravated Assault	0	0	0
Arson	0	0	0
Burglary	0	0	0
Intimidation	0	0	0
Larceny - Theft	0	0	0
Motor Vehicle Theft	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Other Crimes with Bodily Injury	0	0	0
Property Destruction, Damage, or Vandalism	0	0	0
Robbery	0	0	0
Sex Offenses- Non-Forcible	0	0	0
Sex Offenses-Forcible	0	0	0

PUBLIC PROPERTY

Crimes	2023	2024	2025
Aggravated Assault	*	0	0
Arson	*	0	0
Burglary	*	0	0
Dating Violence	*	0	0
Domestic Violence	*	0	0
Motor Vehicle Theft	*	0	0
Murder/Non-Negligent Manslaughter	*	0	0
Negligent Manslaughter	*	0	0
Robbery	*	0	0
Sex Offenses-Non Forcible[2]	*	0	0
Sex Offenses-Forcible[2]	*	0	0
Stalking	*	0	0
Larceny-Theft	*	0	0
Simple Assault	*	0	0
Destruction/Damage/Vandalism	*	0	0
*Denotes data not received at press time			

Arrests	2023	2024	2025
On Campus			
Weapons: Carrying Possessing, etc.	0	0	0
Drug Abuse Violation	0	0	0
Liquor Law Violation	0	0	0
Weapons: Carrying Possessing, etc.	0	0	0
Drug Abuse Violation	0	0	0
Liquor Law Violation	0	0	0
Weapons: Carrying Possessing, etc.	0	0	0
Drug Abuse Violation	0	0	0
Liquor Law Violation	0	0	0
*Denotes data not received at press time			

Disciplinary Referrals	2023	2024	2025
On Campus			
Weapons: Carrying Possessing, etc.	0	0	0
Drug Abuse Violation	0	0	0
Liquor Law Violation	0	0	0
Non-Campus			
Weapons: Carrying Possessing, etc.	0	0	0
Drug Abuse Violation	0	0	0
Liquor Law Violation	0	0	0
Public Property			
Weapons: Carrying Possessing, etc.	0	0	0
Drug Abuse Violation	0	0	0
Liquor Law Violation	0	0	0
*Denotes data not received at press time			

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

Actor means a person accused of criminal sexual conduct.

a) **Developmental disability** means an impairment of general intellectual functioning or adaptive behavior that meets all of the following criteria:
   i) It originated before the person became 18 years of age.
   ii) It has continued since its origination or can be expected to continue indefinitely.
   iii) It constitutes a substantial burden to the impaired person's ability to perform in society.
   iv) It is attributable to 1 or more of the following:
      (1) Intellectual disability, cerebral palsy, epilepsy, or autism.
      (2) Any other condition of a person that produces a similar impairment or requires treatment and services similar to those required for a person described in this subdivision.
b) **Electronic monitoring** means that term as defined in section 85 of the corrections code of 1953, 1953 PA 232, MCL 791.285.
c) **Intellectual disability** means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.
d) **Intermediate school district** means a corporate body established under part 7 of the revised school code, 1976 PA 451, MCL 380.601 to 380.705.
e) **Intimate parts**" includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.
f) **Mental health professional** means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.
g) **Mental illness** means a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.
h) **Mentally disabled** means that a person has a mental illness, is intellectually disabled, or has a developmental disability.
i) **Mentally incapable** means that a person suffers from a mental disease or defect that renders that person temporarily or permanently incapable of appraising the nature of his or her conduct.
j) **Mentally incapacitating** means that a person is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or due to any other act committed upon that person without his or her consent.
k) **Nonpublic school** means a private, denominational, or parochial elementary or secondary school.
l) **Physically helpless** means that a person is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.
m) **Personal injury** means bodily injury, disfigurement, mental anguish, chronic pain, pregnancy, disease, or loss or impairment of a sexual or reproductive organ.
n) **Public school** means a public elementary or secondary educational entity or agency that is established under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.
o) **School district** means a general powers school district organized under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.
p) **Sexual contact** includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for:
   i) Revenge
   ii) To inflict humiliation
   iii) Out of anger

q) **Sexual penetration** means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.
r) **Victim** means the person alleging to have been subjected to criminal sexual conduct.

Michigan Criminal Law section 750.520b: Criminal sexual conduct in the first degree; circumstances; felony;

(1) A person is guilty of criminal sexual conduct in the first degree if he or she engages in sexual penetration with another person and if any of the following circumstances exists:
(a) That other person is under 13 years of age.
(b) That other person is at least 13 but less than 16 years of age and any of the following:
(i) The actor is a member of the same household as the victim.
(ii) The actor is related to the victim by blood or affinity to the fourth degree.
(iii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.
(iv) The actor is a teacher, substitute teacher, or administrator of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled.
(v) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
(vi) The actor is an employee, contractual service provider, or volunteer of a childcare organization, or a person licensed to operate a foster family home or a foster family group home in which that other person is a resident, and the sexual penetration occurs during the period of that other person's residency. As used in this subparagraph, "childcare organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.
(c) Sexual penetration occurs under circumstances involving the commission of any other felony.
(d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:
(i) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
(ii) The actor uses force or coercion to accomplish the sexual penetration. Force or coercion includes, but is not limited to, any of the circumstances listed in subdivision (f).
(e) The actor is armed with a weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon.
(f) The actor causes personal injury to the victim and force or coercion is used to accomplish sexual penetration. Force or coercion includes, but is not limited to, any of the following circumstances:
(i) When the actor overcomes the victim through the actual application of physical force or physical violence.
(ii) When the actor coerces the victim to submit by threatening to use force or violence on the victim, and the victim believes that the actor has the present ability to execute these threats.
(iii) When the actor coerces the victim to submit by threatening to retaliate in the future against the victim, or any other person, and the victim believes that the actor has the ability to execute this threat. As used in this subdivision, "to retaliate" includes threats of physical

punishment, kidnapping, or extortion.

(iv) When the actor engages in the medical treatment or examination of the victim in a manner or for purposes that are medically recognized as unethical or unacceptable.

(v) When the actor, through concealment or by the element of surprise, is able to overcome the victim.

(g) The actor causes personal injury to the victim, and the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.

(h) That other person is mentally incapable, mentally disabled, mentally incapacitated, or physically helpless, and any of the following:

(i) The actor is related to the victim by blood or affinity to the fourth degree.

(ii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.

1) Criminal sexual conduct in the first degree is a felony punishable as follows:
   a) Except as provided in subdivisions (b) and (c), by imprisonment for life or for any term of years.
   b) For a violation that is committed by an individual 17 years of age or older against an individual less than 13 years of age by imprisonment for life or any term of years, but not less than 25 years.
   c) For a violation that is committed by an individual 18 years of age or older against an individual less than 13 years of age, by imprisonment for life without the possibility of parole if the person was previously convicted of a violation of this section or section 520c, 520d, 520e, or 520g committed against an individual less than 13 years of age or a violation of law of the United States, another state or political subdivision substantially corresponding to a violation of this section or section 520c, 520d, 520e, or 520g committed against an individual less than 13 years of age.
   d) In addition to any other penalty imposed under subdivision (a) or (b), the court shall sentence the defendant to lifetime electronic monitoring under section 520n.
2) The court may order a term of imprisonment imposed under this section to be served consecutively to any term of imprisonment imposed for any other criminal offense arising from the same transaction.

Michigan Criminal Law section 750.520c: Criminal sexual conduct in the second degree; felony.

1) A person is guilty of criminal sexual conduct in the second degree if the person engages in sexual contact with another person and if any of the following circumstances exists:
   a) That other person is under 13 years of age.
   b) That other person is at least 13 but less than 16 years of age and any of the following:
      i) The actor is a member of the same household as the victim.
      ii) The actor is related by blood or affinity to the fourth degree to the victim.
      iii) The actor is in a position of authority over the victim and the actor used this authority to coerce the victim to submit.
      iv) The actor is a teacher, substitute teacher, or administrator of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled.
      v) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
      vi) The actor is an employee, contractual service provider, or volunteer of a childcare organization, or a person licensed to operate a foster family home or a foster family group

home in which that other person is a resident and the sexual contact occurs during the period of that other person's residency. As used in this subdivision, "childcare organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.

c) Sexual contact occurs under circumstances involving the commission of any other felony.
d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:
   i) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
   ii) The actor uses force or coercion to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in section 520b(1)(f).
e) The actor is armed with a weapon, or any article used or fashioned in a manner to lead a person to reasonably believe it to be a weapon.
f) The actor causes personal injury to the victim and force or coercion is used to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the circumstances listed in section 520b(1)(f).
g) The actor causes personal injury to the victim and the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
h) That other person is mentally incapable, mentally disabled, mentally incapacitated, or physically helpless, and any of the following:
   i) The actor is related to the victim by blood or affinity to the fourth degree.
   ii) The actor is in a position of authority over the victim and used this authority to coerce the victim to submit.
i) That other person is under the jurisdiction of the department of corrections, and the actor is an employee or a contractual employee of, or a volunteer with, the department of corrections who knows that the other person is under the jurisdiction of the department of corrections.
j) That other person is under the jurisdiction of the department of corrections and the actor is an employee or a contractual employee of, or a volunteer with, a private vendor that operates a youth correctional facility under section 20g of the corrections code of 1953, 1953 PA 232, MCL 791.220g, who knows that the other person is under the jurisdiction of the department of corrections.
k) That other person is a prisoner or probationer under the jurisdiction of a county for purposes of imprisonment or a work program or other probationary program and the actor is an employee or a contractual employee of or a volunteer with the county or the department of corrections who knows that the other person is under the county's jurisdiction.
l) The actor knows or has reason to know that a court has detained the victim in a facility while the victim is awaiting a trial or hearing, or committed the victim to a facility as a result of the victim having been found responsible for committing an act that would be a crime if committed by an adult, and the actor is an employee or contractual employee of, or a volunteer with, the facility in which the victim is detained or to which the victim was committed.

2) Criminal sexual conduct in the second degree is a felony punishable as follows:
   a) By imprisonment for not more than 15 years.
   b) In addition to the penalty specified in subdivision (a), the court shall sentence the defendant to lifetime electronic monitoring under section 520n if the violation involved sexual contact committed by an individual 17 years of age or older against an individual less than 13 years of age

Michigan Criminal Law section 750.520d: Criminal sexual conduct in the third degree; felony.

1) A person is guilty of criminal sexual conduct in the third degree if the person engages in sexual

penetration with another person and if any of the following circumstances exist:

a) That other person is at least 13 years of age and under 16 years of age.
b) Force or coercion is used to accomplish the sexual penetration. Force or coercion includes but is not limited to any of the circumstances listed in section 520b(1)(f)(i) to (v).
c) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
d) That other person is related to the actor by blood or affinity to the third degree and the sexual penetration occurs under circumstances not otherwise prohibited by this chapter. It is an affirmative defense to a prosecution under this subdivision that the other person was in a position of authority over the defendant and used this authority to coerce the defendant to violate this subdivision. The defendant has the burden of proving this defense by a preponderance of the evidence. This subdivision does not apply if both persons are lawfully married to each other at the time of the alleged violation.
e) That other person is at least 16 years of age but less than 18 years of age and a student at a public school or nonpublic school, and either of the following applies:
    i) The actor is a teacher, substitute teacher, or administrator of that public school, nonpublic school, school district, or intermediate school district. This subparagraph does not apply if the other person is emancipated or if both persons are lawfully married to each other at the time of the alleged violation.
    ii) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
f) That other person is at least 16 years old but less than 26 years of age and is receiving special education services, and either of the following applies:
    i) The actor is a teacher, substitute teacher, administrator, employee, or contractual service provider of the public school, nonpublic school, school district, or intermediate school district from which that other person receives the special education services. This subparagraph does not apply if both persons are lawfully married to each other at the time of the alleged violation.
    ii) The actor is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
g) The actor is an employee, contractual service provider, or volunteer of a childcare organization, or a person licensed to operate a foster family home or a foster family group home, in which that other person is a resident, that other person is at least 16 years of age, and the sexual penetration occurs during that other person's residency. As used in this subdivision, "childcare organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.

2) Criminal sexual conduct in the third degree is a felony punishable by imprisonment for not more than 15 years.

Michigan Criminal Law section 750.520e: Criminal sexual conduct in the fourth degree; misdemeanor.

1) A person is guilty of criminal sexual conduct in the fourth degree if he or she engages in sexual contact

with another person and if any of the following circumstances exist:

a) That other person is at least 13 years of age but less than 16 years of age, and the actor is 5 or more years older than that other person.
b) Force or coercion is used to accomplish the sexual contact. Force or coercion includes, but is not limited to, any of the following circumstances:
   i) When the actor overcomes the victim through the actual application of physical force or physical violence.
   ii) When the actor coerces the victim to submit by threatening to use force or violence on the victim, and the victim believes that the actor has the present ability to execute that threat.
   iii) When the actor coerces the victim to submit by threatening to retaliate in the future against the victim, or any other person, and the victim believes that the actor has the ability to execute that threat. As used in this subparagraph, "to retaliate" includes threats of physical punishment, kidnapping, or extortion.
   iv) When the actor engages in the medical treatment or examination of the victim in a manner or for purposes which are medically recognized as unethical or unacceptable.
   v) When the actor achieves the sexual contact through concealment or by the element of surprise.
c) The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless.
d) That other person is related to the actor by blood or affinity to the third degree and the sexual contact occurs under circumstances not otherwise prohibited by this chapter. It is an affirmative defense to a prosecution under this subdivision that the other person was in a position of authority over the defendant and used this authority to coerce the defendant to violate this subdivision. The defendant has the burden of proving this defense by a preponderance of the evidence. This subdivision does not apply if both persons are lawfully married to each other at the time of the alleged violation.
e) The actor is a mental health professional, and the sexual contact occurs during or within 2 years after the period in which the victim is his or her client or patient and not his or her spouse. The consent of the victim is not a defense to a prosecution under this subdivision. A prosecution under this subsection shall not be used as evidence that the victim is mentally incompetent.
f) That other person is at least 16 years of age but less than 18 years of age and a student at a public school or nonpublic school, and either of the following applies:
   i) The actor is a teacher, substitute teacher, or administrator of that public school, nonpublic school, school district, or intermediate school district. This subparagraph does not apply if the other person is emancipated or if both persons are lawfully married to each other at the time of the alleged violation.
   ii) The actor is an employee or a contractual service provider of the public school, nonpublic school, school district, or intermediate school district in which that other person is enrolled, or is a volunteer who is not a student in any public school or nonpublic school, or is an employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.
g) That other person is at least 16 years old but less than 26 years of age and is receiving special education services, and either of the following applies:
   i) The actor is a teacher, substitute teacher, administrator, employee, or contractual service provider of the public school, nonpublic school, school district, or intermediate school district from which that other person receives the special education services. This subparagraph does not apply if both persons are lawfully married to each other at the time of the alleged violation.
   ii) The actor is a volunteer who is not a student in any public school or nonpublic school, or is an

employee of this state or of a local unit of government of this state or of the United States assigned to provide any service to that public school, nonpublic school, school district, or intermediate school district, and the actor uses his or her employee, contractual, or volunteer status to gain access to, or to establish a relationship with, that other person.

h) The actor is an employee, contractual service provider, or volunteer of a childcare organization, or a person licensed to operate a foster family home or a foster family group home, in which that other person is a resident, that other person is at least 16 years of age, and the sexual contact occurs during that other person's residency. As used in this subdivision, "childcare organization", "foster family home", and "foster family group home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.

2) Criminal sexual conduct in the fourth degree is a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than $500.00, or both.

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

Michigan Criminal Law section 750.81: Assault or assault and battery.

1) Except as otherwise provided in this section, a person who assaults or assaults and batters an individual, if no other punishment is prescribed by law, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.
2) Except as provided in subsection (3) or (4), an individual who assaults or assaults and batters his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.
3) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has previously been convicted of assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, may be punished by imprisonment for not more than 1 year or a fine of not more than $1,000.00, or both:
   a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.
   b) Section 81a, 82, 83, 84, or 86.
   c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.
4) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has 2 or more previous convictions for assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than $5,000.00, or both:
   a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.
   b) Section 81a, 82, 83, 84, or 86.
   c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.
5) This section does not apply to an individual using necessary reasonable physical force in compliance

with section 1312 of the revised school code, 1976 PA 451, MCL 380.1312.

6) As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a causal relationship or an ordinary fraternization between 2 individuals in a business or social context.

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

Michigan Criminal Law section 750.81: Assault or assault and battery.

1) Except as otherwise provided in this section, a person who assaults or assaults and batters an individual, if no other punishment is prescribed by law, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.
2) Except as provided in subsection (3) or (4), an individual who assaults or assaults and batters his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.
3) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has previously been convicted of assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, may be punished by imprisonment for not more than 1 year or a fine of not more than $1,000.00, or both:
   a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.
   b) Section 81a, 82, 83, 84, or 86.
   c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.
4) An individual who commits an assault or an assault and battery in violation of subsection (2), and who has 2 or more previous convictions for assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, under any of the following, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than $5,000.00, or both:
   a) This section or an ordinance of a political subdivision of this state substantially corresponding to this section.
   b) Section 81a, 82, 83, 84, or 86.
   c) A law of another state or an ordinance of a political subdivision of another state substantially corresponding to this section or section 81a, 82, 83, 84, or 86.
5) This section does not apply to an individual using necessary reasonable physical force in compliance with section 1312 of the revised school code, 1976 PA 451, MCL 380.1312.
6) As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a causal relationship or an ordinary fraternization between 2 individuals in a business or social context.

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

Michigan Criminal Law section 750.411h: Stalking.

1) As used in this section:
   a) "Course of conduct" means a pattern of conduct composed of a series of 2 or more separate non-continuous acts evidencing a continuity of purpose.
   b) "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
   c) "Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.
   d) "Stalking" means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
   e) "Unconsented contact" means any contact with another individual that is initiated or continued without that individual's consent or in disregard of that individual's expressed desire that the contact be avoided or discontinued. Unconsented contact includes, but is not limited to, any of the following:
      i) Following or appearing within the sight of that individual.
      ii) Approaching or confronting that individual in a public place or on private property.
      iii) Appearing at that individual's workplace or residence.
      iv) Entering onto or remaining on property owned, leased, or occupied by that individual.
      v) Contacting that individual by telephone.
      vi) Sending mail or electronic communications to that individual.
      vii) Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual.
   f) "Victim" means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.
2) An individual who engages in stalking is guilty of a crime as follows:
   a) Except as provided in subdivision (b), a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00, or both.
   b) If the victim was less than 18 years of age at any time during the individual's course of conduct and the individual is 5 or more years older than the victim, a felony punishable by imprisonment for not more than 5 years or a fine of not more than $10,000.00, or both.
3) The court may place an individual convicted of violating this section on probation for a term of not more than 5 years. If a term of probation is ordered, the court may, in addition to any other lawful condition of probation, order the defendant to do any of the following:
   a) Refrain from stalking any individual during the term of probation.
   b) Refrain from having any contact with the victim of the offense.
   c) Be evaluated to determine the need for psychiatric, psychological, or social counseling and if, determined appropriate by the court, to receive psychiatric, psychological, or social counseling at his or her own expense.
4) In a prosecution for a violation of this section, evidence that the defendant continued to engage in a course of conduct involving repeated unconsented contact with the victim after having been requested by the victim to discontinue the same or a different form of unconsented contact, and to refrain from any further unconsented contact with the victim, gives rise to a rebuttable presumption that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
5) A criminal penalty provided for under this section may be imposed in addition to any penalty that

may be imposed for any other criminal offense arising from the same conduct or for any contempt of court arising from the same conduct.

LINKS TO THE HIGHER EDUCATION ACT OF 1965

Safety and Security-related laws and regulations

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

Federal Register, Oct. 31, 2002 (Vol. 67, No. 211), Student Assistance General Provision; Final Rule. 34 CFR 668.46, Institutional Security Policies and Crime Statistics
https://www.govinfo.gov/content/pkg/FR-2002-10-31/pdf/02-27599.pdf

Federal Register, Oct. 29, 2009 (Vol. 74, No. 208), General and Non-Loan Programmatic Issues; Final Rule. 34 CRF 668.41, Reporting and Disclosure of Information 34 CRF 668.46, Institutional Security Policies and Crime Statistics 34 CFR 668.49, Institutional Fire Safety Policies and Fire Statistics http://edocket.access.gpo.gov/2009/E9-25373.htm

Higher Education Opportunity Act, Aug. 14, 2008. Program Participation Agreement Requirements
https://www.govinfo.gov/content/pkg/PLAW-110publ315/pdf/PLAW-110publ315.pdf

Federal Register, Oct. 20, 2014 (Vol. 79, No. 202), Violence Against Women Act; Final Rule. 34 CFR 668.46, Institutional Security Policies and Crime Statistics
https://www.govinfo.gov/content/pkg/FR-2014-10-20/html/2014-24284.htm

Reprint from U.S. Department of Education Office of Postsecondary Education Handbook, Jun 2016 p. A-3.

JEANNE CLERY ACT DEFINITIONS

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

SEX OFFENSES-FORCIBLE

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

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

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

Sexual Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's

will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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

SEX OFFENSES-NON FORCIBLE

Unlawful, non-forcible sexual intercourse.

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

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

OTHER CRIME DEFINITIONS

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

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, etc.

Bias Crime or Hate Crime: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as Hate Crime.

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 a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Dating Violence: Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

Domestic Violence: Asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Drug Law Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana, synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition).

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

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 joy riding).

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

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, violence, and/or by putting the victim in fear.

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, sever laceration or loss of consciousness.

Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others' safety, or to suffer substantial emotional distress.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

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

GEOGRAPHICAL DEFINITIONS

On-Campus

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and

2. Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently

used by students and supports institutional purposes (such as food or retail vendor).

Non-Campus Building or Property

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

Fire
Safety Report 2026

ANNUAL FIRE REPORT SECTION 2026

ABOUT THE ANNUAL FIRE SAFETY REPORT

The University of Detroit Mercy Department of Public Safety 2026 Annual Fire Safety Report is provided to you in compliance with the Higher Education Opportunity, Public Law 110 – 315 Act. (HEOA) The Annual Fire Safety Report is a HEOA regulation that requires minimum statistical disclosure for the three previous years for residential housing (for purposes of this report 2023, 2024, 2025), concerning reported fire related incidents on property owned or controlled by the University of Detroit Mercy. This report also includes institutional policies concerning campus fire evacuation, residential hall reporting and other fire safety matters. Detroit Mercy Corktown Campus – School of Dentistry does not maintain a student housing facility on this campus. Accordingly, the university does not have residential housing fire statistics to report for the 2023, 2024, and 2025 Annual Fire section of this report. The Detroit Mercy McNichols Campus maintains a student housing complex. Fire statistics for the McNichols Campus are disclosed in this Annual Security & Fire Safety Report 2024. You can obtain a copy of the campus reports by following the print options, contacting the Department of Public Safety at (313) 993-1234 M – F 9:00 a.m. to 4:00 pm., or by accessing the following website www.udmercy.edu/publicsafety

FIRE SAFETY TIPS

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

FIRE SAFETY FACTS

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

WHEN THE ALARM SOUNDS … GET OUT

Fire doubles in volume every 30-60 seconds. In just a couple of minutes, an entire room or multiple rooms can

be engulfed in flames and smoke. When the fire alarm sounds, get out of the building - FAST and NEVER, no matter what, delay or go back inside the building to get your "things". Ask yourself; is a cell phone or computer more important than your life? No way. You can always buy a new cell phone, but you can't buy your life back. Source: CampusFireSafety.org and The National Fire Protection Association (NFPA), 2015. Online: http://www.campusfiresafety.org/Portals/0/Documents/CFS%20For%20Students/student%20tips.pdf

FIRE SAFETY EVACUATION MEASURES

FOR EMPLOYEES AND STUDENTS

- The first person to discover a fire or evacuation situation is responsible for immediately activating the nearest fire pull station and calling the Department of Public Safety at (313) 993-1234 from a safe location.
- Be calm and carefully give all information requested.

Procedure

1. Exit the building using the nearest marked exit and posted evacuation route.
2. Pull fire alarm if available and/or if you can do so safely, notify occupants by yelling "fire" in the hallway.
3. Go to a safe area (outside Gathering Point) and call the Department of Public Safety.
4. Tell the Department of Public Safety the building, floor and room number where the fire is located.
5. State whether the building is occupied.
6. State if person(s) is trapped or injured and their location(s).
7. Give the cause of the fire, if known.
8. State your name, telephone number and location at time of call.
9. STAY ON THE TELEPHONE and offer further assistance.
10. The Director of the Department of Public Safety or designee will fully activate the Emergency Command Center if it is appropriate to do so.
11. Small, isolated fires should be extinguished if possible and safe. Fire extinguishers are generally located in stairwells, near entrances, or at the end of corridors.
12. Building coordinators will account for their personnel at the evacuation assembly area and report this information to the Department of Public Safety officer.
13. Personnel should remain at the Gathering Point for further instructions.
14. Emergency response personnel will direct you if it will be necessary to proceed to another location.
15. Do not return to an evacuated building until the Department of Public Safety announces all clear.

ESPECIALLY FOR RESIDENTIAL STUDENTS

- All alarms must be treated as warning of an actual emergency. Do not take time to get personal possessions.
- If smoke is present, stay close to the floor as you exit.
- Designated Residence Life Staff shall ensure, to the extent practical, that the site-specific Evacuation Plan of their building is followed, and that the evacuation of the facility continues until emergency personnel arrive.

Fire Statistics for Residential Facilities—McNichols Campus (2025)

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

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

Residential Facility	Fire System Monitored by Public Safety	Building Equipped with Fire Alarms	Building Equipped with Smoke Detectors	Number of Evacuation Drills Conducted
Holden Hall	Yes	Yes	Yes	5
Shiple Hall	Yes	Yes	Yes	5
North Quad	Yes	Yes	Yes	5
South Quad	Yes	Yes	Yes	5
East Quad	Yes	Yes	Yes	5
West Quad	Yes	Yes	Yes	5
Quad Commons	Yes	Yes	Yes	5

Fire Statistics for Residential Facilities—McNichols Campus (2024)

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

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

Residential Facility	Fire System Monitored by Public Safety	Building Equipped with Fire Alarms	Building Equipped with Smoke Detectors	Number of Evacuation Drills Conducted
Holden Hall	Yes	Yes	Yes	5
Shiple Hall	Yes	Yes	Yes	5
North Quad	Yes	Yes	Yes	5
South Quad	Yes	Yes	Yes	5
East Quad	Yes	Yes	Yes	5
West Quad	Yes	Yes	Yes	5
Quad Commons	Yes	Yes	Yes	5

Fire Statistics for Residential Facilities—McNichols Campus (2023)

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

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

Residential Facility	Fire System Monitored by Public Safety	Building Equipped with Fire Alarms	Building Equipped with Smoke Detectors	Number of Evacuation Drills Conducted
Holden Hall	Yes	Yes	Yes	5
Shiple Hall	Yes	Yes	Yes	5
North Quad	Yes	Yes	Yes	5
South Quad	Yes	Yes	Yes	5
East Quad	Yes	Yes	Yes	5
West Quad	Yes	Yes	Yes	5
Quad Commons	Yes	Yes	Yes	5

Campus Fire Safety Policy

Purpose

University of Detroit Mercy releases fire safety information to the University community as a first step in educating the community on fire safety procedures. Detroit Mercy has provided educational information that provides techniques to reduce the risk of fire safety incident. The University will offer prevention programs essential to keep the University community safe from fire safety incidents. Fire safety laws are meant to educate our community and to encourage those with fire incident information to report the offense to the Detroit Mercy Department of Public Safety.

Scope

To create and maintain a fire safe environment for students residing in campus housing, non-residential students, employees, contractors, consultants, temporary help and other workers at Detroit Mercy, including all personnel affiliated with third parties.

POLICY

Residential Halls

When it comes to fire safety, certain personal property can compromise the safety of all within the community. The prohibited items can be found in the **Guide to Residence Living**. The Office of Residence Life conducts regular health and safety inspections of each residence hall. All areas and spaces of the room/suite, and all objects and containers within the space may be searched. Illegal or unauthorized property will be confiscated, and residents will be provided with a list of items taken. Items violating local, state, or federal laws may be turned over to the Department of Public Safety.

General Fire Policy

Detroit Mercy has life safety procedures to keep our community free of fire safety hazards. Annually, fire systems are tested throughout University campuses. The Department of Public Safety (DPS) has leadership role to initiate, facilitate and account for fire safety test drills. As an ongoing process check other committees and departments have a responsibility to assist DPS during these tests and report their findings.

Fire safety tests are one measure that Detroit Mercy uses to account for the operations of mechanical equipment and emergency response of our community and emergency personnel. While other inspections occur to assess our emergency readiness, as a standing practice the Detroit Mercy community is encouraged to play a role in the prevention and evaluation process of campus fire safety systems and procedures.

Fire incidents on University property are the direct responsibility of the DPS who shall make the necessary notifications for additional outside resources when an incident requires. DPS officers are trained in emergency response to critical incident scene. The University community has been provided with specific fire safety protocol, evacuation and containment procedures to aid in making an educated choice if faced with a fire safety incident.

All DPS Officers have been trained in proper use of all types of Fire Extinguisher. DPS trains all Resident Advisor on proper us of Fire Extinguishers at RA Orientations. DPS has developed an online Fire Equipment Training presentation for all student, faculty and staff. This presentation is located on DPS website. Fire safety information is available on the University Emergency Procedure Guide and located in the Detroit Mercy Emergency Response Plan. Follow this link to access fire safety information www.udmercy.edu/publicsafety/emergency_readiness or call the Department of Public Safety at (313) 993-1235 M-F between 9:00 a.m. – 5:00 p.m.

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

Daily Fire Log

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

REPORTING A FIRE EMERGENCY

PURPOSE

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

SCOPE

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

POLICY

To report a fire safety matter occurring on or near a Detroit Mercy campus immediately contact the Detroit Mercy Department of Public Safety 24-hour communications center.
You can also reach Public Safety by dialing (313) 993-1234 for non-emergencies, or by using the exterior emergency telephones located throughout campus parking lots or near some buildings.

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

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

When the situation necessitates the Detroit Mercy Department of Public Safety will make a notification to the Detroit Fire Department for a response. Each department augments the other within its jurisdictions during mutual incidents and investigations. Detroit Mercy officers attend regular meetings with local law enforcement agencies to exchange ideas and problems which may be of concern to the University community.

Residence Halls

Detroit Mercy only has residential housing on the McNichols Campus. Our residential complex has the capacity to house nearly 900 students each term. Residential students are educated to immediately report fire-related incidents as follows:

- Verbally alert other occupants as you exit
- To the extent safely possible assist others who may need assistance
- Use the stairs to evacuate the building. Do not use the elevators.
- Go to the nearest Evacuation Area
- Wait for further instruction from on-scene emergency personnel

About Campus Fire Drills

Purpose
To educate residential students on procedures related to building evacuation.

Scope
In conjunction with the Department of Public Safety, the Office of Residence Life schedules regular fire drills for each residence hall.

Policy
Fire drills occur intermittently each term in each residence hall. On-campus residents must evacuate to designated evacuation areas and follow the procedures detailed below:

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

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

Campus Evacuation Policy

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

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

POLICY

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

- Be calm and carefully give all information requested.
- EVACUATE IMMEDIATELY in case of a fire or upon notification.
- DO NOT USE ELEVATORS.
- When an emergency evacuation is ordered or when audio or visual alarms are activated, all persons are required to evacuate the premises immediately.
- All alarms must be treated as a warning of an actual emergency. Do not take time to get personal possessions.
- If smoke is present, stay close to the floor as you exit.
- If possible and safe, turn off laboratory gases, and exhaust fans and close doors/windows as you exit.
- All faculty and staff should help direct students and visitors to obey evacuation orders.
- Faculty should assure that students in their class who have mobility difficulty are assisted in the evacuation, making sure these students get at least to a stairwell landing.
- All University employees are responsible for knowing the location of exits and being able to identify their building's evacuation route(s) in an emergency.
- Designated Building Coordinators shall ensure, to the extent practical, that the site-specific Evacuation Plan of their building is followed, and that the evacuation of the facility proceeds until emergency personnel arrive.
- Exit the building using the nearest marked exit and posted evacuation route.
- Proceed to the designated outside Gathering Point shown on the evacuation map posted in the building.
- Obey the directions of emergency response personnel or the Building Coordinator(s).
- Be alert to the presence of persons requiring evacuation assistance and assist as much as possible to get them out or to a stairwell landing.
- Notify emergency personnel immediately upon arrival of the exact location of any person(s) who may be having difficulty evacuating.
- Emergency response personnel will direct you if it will be necessary to proceed to another location.
- Do not return to an evacuated building until the Department of Public Safety announces all clear

Residence Halls

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

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

- After any evacuation, report to your designated area assembly point. Stay there until an accurate head count has been taken.

FAILURE TO EVACUATE A BUILDING AFTER AN ALARM OR ATTEMPTS TO REENTER A BUILDING BEFORE PERMISSION IS GRANTED WILL RESULT IN DISCIPLINARY ACTION AND COULD INCLUDE CRIMINAL CHARGES FROM THE DEPARTMENT OF PUBLIC SAFETY.

STUDENT HOUSING FIRE SAFETY SYSTEMS AND IMPROVEMENTS

PURPOSE

The University of Detroit Mercy releases to the University Community information on the residence hall emergency fire systems.

SCOPE

This policy applies to students, employees, contractors, consultants, temporary help, and other workers at the University of Detroit Mercy, including all personnel affiliated with third parties who may reside in a Detroit Mercy residence hall or provide services to the residential complex on an intermittent basis.

POLICY

In accordance with state and federal fire regulations, the University provides residential living space for students and designated employees on a limited basis. All Detroit Mercy housing quarters are fire-safe facilities that meet the required fire codes as set forth by the State of Michigan and City Ordinance. Our residential complex is monitored 24-Hours a day 7 days a week by the University's Department of Public Safety. The University provides routine equipment tests to ensure operability. The Detroit Fire Department provides an annual inspection of hydrants located on Detroit Mercy campuses.

The residential halls are equipped with standard fire pull stations and fire alert horns that are activated when a pull station is engaged. Many of the halls also have floor fire strobe indicators. The University provides fire-safe notification systems that meet ADA regulations to accommodate students with certain disabilities. The Department of Public Safety and the Office of Residence Life staff also provide on an as-needed basis a fire watch patrol if systems go offline for any reason.

Fire System types and Improvements for all Residential Halls

Shiple Hall

- Performed annual testing of fire alarm system.
- Fire suppression testing.
- Annual fire extinguisher inspections.
- Fire alarm system upgraded 2021
- All required fire alarm and fire suppression inspections and repairs have been completed.
- All required fire extinguisher inspections and repairs/replacements have been completed.

Holden Hall

- No fire suppression
- Performed annual testing of fire alarm system.
- Fire suppression testing.
- Annual fire extinguisher inspections.
- All required fire alarm and fire suppression inspections and repairs have been completed.
- All required fire extinguisher inspections and repairs/replacements have been completed.

Quad Complex

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

West Quad

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

South Quad

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

East Quad

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

North Quad

- New National Time fire alarm, the entire building. Certified in 2018 reports to Public Safety.
- Limited fire suppression in trash rooms, custodial and mechanical.
- Performed annual testing of fire alarm system.
- Fire suppression testing.
- Annual fire extinguisher inspections.
- All required fire alarm and fire suppression inspections and repairs have been completed.
- All required fire extinguisher inspections and repairs/replacements have been completed.

PROHIBITED RESIDENTIAL HALL ITEMS

The Office of Residence Life strives to develop a safe living and learning environment where residents are engaged in a structured academic, personal, and social community. To ensure we meet these expectations and to minimize the potential for fires in the University of Detroit Mercy residential community, it is the policy of the University of Detroit Mercy to prohibit the use of the following:

- Air Conditioners
- Broilers
- Candles (with or without wicks)
- Coffee Pots without a timer and auto-shutoff
- Crock Pots
- Deep flyer
- Electric blankets
- Electric frying pans
- Electric space heaters
- Extension cords longer than 6 feet (no more than 2 per room)
- Explosives/Firecrackers/Fireworks
- Electric Pressure Cooker
- Iron w/o automatic shutoff
- Gas Grills
- Gas Heaters
- George Foreman grills
- Griddles
- Halogen Lights/Lamps and Heating Lamps and Lava Lamps

- Heating coils
- Hookahs, Bongs, or other items that can be considered drug paraphernalia
- Hot Water Makers/Tea Kettles w/o Digital Timer and Temperature Gauge
- Heat fans, ceramic heaters, etc.
- Hot plates
- Open faced Grills (i.e., waffle irons, quesadilla makers, etc.)
- Mattresses
- Incense/Wax/ Potpourri burner and warmer
- Pets, other than fish (10-gallon aquarium or less)
- Rice Cookers
- Refrigerators larger than 5 cubic feet (only 1 refrigerator permitted per room)
- Sandwich makers
- Sun lamps
- Signs considered to be University, Government, or another's property
- Toasters and/or Toaster ovens
- Microwave more than 700 Watts
- Amplifiers, Subwoofers, and/or Stereos over 100 watts (or otherwise deemed a nuisance to the community) - Sound should not be heard beyond the walls of the room.
- Weapons
- Waterbeds
- Lofts other than those authorized by the University of Detroit Mercy
- Four or more-armed lamps
- All cooking items that use an open flame or heating element
- Performed annual testing of fire alarm system.
- Fire suppression testing.
- Annual fire extinguisher inspections.

NOTE: Extension Cords and Corded Surge Protectors cannot be plugged into each other (i.e., daisy chained). No more than 6 items can be plugged into an outlet. -All electrical appliances must be UL-approved -Curling Irons, Hair Straighteners, and other electronic hair devices with a heating element must remain unplugged when not in use. -Items are not to be hung from any ceiling. Damage resulting from items attached to the ceiling may result in a damage charge being assessed. -All university furniture must remain in the room. Relocation of any university-issued furniture is in direct violation of the Residence Life Policy and could result in a fine or fee to replace the missing furniture. Residence Life will not remove furniture from any room by request. Some rooms containing a single occupant may have furniture for double occupancy.

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