

**ANNUAL SECURITY REPORT**  
**(ASR)**  
**MICHIGAN COLLEGE OF BEAUTY**  
**(MCB) - MONROE, MI**  
**2019-21**

## Table of Contents:

<u>Item:</u>	<u>Page #</u>
1. Table of Contents	2
2. The Clery Act:	3
3. Compliance with the Clery Act:	4
4. Campus Security Authorities (CSAs):	4
5. General Procedures for Reporting a Crime or Emergency:	4
6. Basic Crime Prevention and Information for Students and Employees about Campus Security Procedures and Practices:	5
7. Emergency Response and Evacuation, Including Timely Warning and Emergency Notification:	6
8. Daily Crime Log and Fire Log:	7
9. Missing Student Notification Policy and Procedures:	7
10. Access Policy and Building Security:	8
11. Definitions of Geography:	8
12. Weapons and Dangerous Devices Policy Possession:	9
13. MCB Policy on Drug and Alcohol Use:	9
14. State and Federal Sanctions:	10
15. Preventing and Responding to Domestic Violence, Dating Violence, and Stalking:	11
16. Domestic Violence:	12
17. Dating Violence:	13
18. Stalking:	14
19. Education and Prevention Programs:	15
20. Procedures for Reporting a Complaint:	16
21. Assistance for Victims - Rights & Options:	19
22. Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking:	20
23. How to be an Active Bystander:	20
24. Risk Reduction:	21
25. Adjudication of Violations:	22
26. Student Sanctions and Protective Measures:	24
27. Sex Offender Registration:	25
28. Fire Safety Report:	25
29. Campus Crime Statistics:	27
30. Crime Statistics Definitions:	28
31. Sex Offense Definitions:	29
32. The Annual Disclosure of Crime Statistics and Annual Security Report:	30

### **The Clery Act:**

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial, and geographic considerations, the issue of campus safety is a vital concern.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education (IHEs) that participate in the federal student financial aid program to disclose information about crime on their campuses and in the surrounding communities. The Clery Act affects virtually all public and private IHEs and is enforced by the U.S. Department of Education. Campuses that fail to comply with the act can be penalized with large fines and may be suspended from participating in the federal financial aid program.

The Clery Act, formerly known as the Crime Awareness and Campus Security Act, was signed in 1990 and is named after 19-year-old Jeanne Clery, who was raped and murdered in her Lehigh University residence hall in 1986. Clery's parents lobbied Congress to enact the law when they discovered students at Lehigh hadn't been notified about 38 violent crimes that had occurred on campus in the three years prior to Clery's murder.

### **Compliance with the Clery Act:**

The Clery Act requires Michigan College of Beauty to provide timely warnings of crimes that represent a threat to the safety of students or employees and to make their campus security policies available to the public. The act also requires MCB to collect, report, and disseminate crime data to everyone on campus and to the Department of Education annually. When the Higher Education Opportunity Act (HEOA) was signed into law in 2008, it amended the Clery Act by adding a number of safety- and security-related requirements to the Higher Education Act of 1965. To be in full compliance with the law, MCB must do the following:

1. Publish and distribute an Annual Security Report to current and prospective students and employees by October 1 of each year. The report must provide crime statistics for the past three years, detail campus and community policies about safety and security measures, describe campus crime prevention programs, and list procedures to be followed in the investigation and prosecution of alleged sex offenses.
2. Provide students and employees with timely warnings of crimes that represent a threat to their safety. MCB must also keep and make available to the public a detailed crime log of all crimes reported to them in the past 60 days. Crime logs must be kept for seven years, and logs older than 60 days must be made available within two business days upon request.
3. Keep the past three years crime statistics detailing crimes that have occurred: on campus: and in certain non-campus buildings. MCB must also report liquor and drug law violations and illegal weapons possession if they result in a disciplinary referral or arrest.
4. Disclose missing student notification procedures.
5. Disclose fire safety information related to MCB. This includes maintaining a fire log that is open to public inspection and publishing an Annual Fire Safety Report containing policy statements and fire statistics. These statistics must include the location, cause, injuries, deaths and property damage of each fire.
6. Submit the collected crime and fire statistics to the Department of Education each fall.

7. Inform prospective students and employees about the availability of the Annual Fire Safety Report. MCB has a vested interest in campus security and the personal safety of its students and employees. The following pages contain specific information, including crime prevention, fire safety, law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. This report also contains information about campus crime statistics.

Members of the campus community are encouraged to use this report as a guide for safe practices on and off campus. The report is available on the Internet at:

(<https://michigancollegebeauty.com/annual-security-report/>) Every member of MCB school community receives an email that describes the report and provides its website address. For more information, contact the School Manager at 734-241-8877, Ext. 11 or at [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com)

#### **Campus Security Authorities (CSA's):**

The Clery Act Regulations define a Campus Security Authority as an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. Crimes may be reported to any Campus Security Authority. Certain classes of crimes or incidents, when reported to a Campus Security Authority, are required to be disclosed to the campus community as specified through the Jeanne Clery Act.

MCB is committed to providing a safe campus, and in addition to institutional procedures, students and staff are encouraged to be personally responsible for their own security, as well as others. Campus Security is the direct responsibility of the MCB President, while the MCB School Manager is responsible for day-to-day operations. These two individuals are MCBs Campus Security Authorities. The MCB School Manager has extensive security experience and knowledge, and possesses an excellent working relationship with local law enforcement agencies including the Monroe County Sheriff's Department and the Michigan State Police. Criminal acts are investigated by local area law enforcement authorities. There are currently no memorandums of understanding between MCB and local law enforcement. MCB also does not have pastoral or professional counselors on staff. However, MCB encourages pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

The MCB School Manager can be contacted at 734-241-8877, Ext. 11 and at [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com) The MCB President may be contacted at 734-241-8877, Ext. 12 and at [cacmdm@gmail.com](mailto:cacmdm@gmail.com)

MCB Campus Security Authorities do not have the authority to make arrests.

#### **General Procedures for Reporting a Crime or Emergency:**

Crimes should be reported to an MCB Campus Security Authority to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

MCB encourages accurate and prompt reporting of all crimes to the campus security authorities and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.

Victims, witnesses or others with important information regarding the reporting of crimes for inclusion in the annual security report may do so voluntarily or confidentially by contacting the MCB School Manager can be contacted at 734-241-8877, Ext. 11 and at [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com) In response to a call, the MCB School Manager will take the required action, dispatching an officer or asking the victim to file an incident report. All MCB incident reports are forwarded to the MCB Director and President for review and investigation. If assistance is required from the Monroe Police Department, the MCB School Manager will contact the dispatcher who will call 911. If a sexual assault or rape should occur, staff on the scene and/or the MCB School Manager, will offer the victim a wide variety of services.

The City of Monroe non-emergency line to central dispatch is 734-243-7070. To report suspicious persons or activity, call Monroe County Central Dispatch at 734-243-7070 to report anything suspicious in the neighborhood. Monroe Police will respond to investigate.

MCB does not have any officially recognized student organizations with non-campus locations. As a result, there is no monitoring and recording, through local police agencies, of criminal activity in which students engaged at non-campus locations of student organizations officially recognized by the institution partake.

#### **Basic Crime Prevention and Information for Students and Employees about Campus Security Procedures and Practices:**

Effective crime prevention begins with personal involvement and responsibility. By taking a few moments to think before acting, we can all make ourselves less likely to become a victim or a statistic. The following is a list of DOs and DON'Ts to help you in protecting your personal property and yourself. Security is everyone's responsibility at MCB. These reminders can help ensure your own safety and the safety of others:

- DO remember where you parked your vehicle
- DO lock your vehicle at all times - when parked and when driving;
- DO look into and under your vehicle before entering
- DO keep your keys in hand when returning to your vehicle
- DO report all crimes and/or suspicious activities/persons to the MCB School Manager immediately;
- DO mark your valuable possessions (books, calculators, recorders, etc.) i.e. with personal identification markings;
- DO treat all personal property as you do cash;
- DO ask a friend to walk with you to the parking lot;
- DO be conscious of your surroundings - walk purposefully, know where you are going, project a no-nonsense image
- DON'T leave valuables in plain sight in your vehicle (iPads, GPS devices, books).
- DON'T leave books, handbags, book bags, wallets, etc. unattended;
- DON'T leave your locker unlocked;
- DON'T walk through dark areas without an escort;
- DON'T leave cash or checks in your unlocked desk or file cabinet.

Crime prevention is everyone's job. With some effort and forethought, we can maintain a safe campus environment.

MCB is committed to increasing awareness by providing students and employees, and the entire campus community, with educational and prevention awareness information. Educational programs for all incoming and current students, as well as new employees, occurs at least quarterly and focuses on: 1) security procedures and practices, and; 2) programs encouraging the campus community to look out for themselves and one another.

Periodically during the year, the MCB School Manager, in cooperation with local law enforcement, presents crime prevention awareness sessions on sexual assault (rape and acquaintance rape), drug and alcohol abuse, theft, and vandalism, as well as educational sessions on personal safety. 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.

**Emergency Response and Evacuation, including Timely Warning and Emergency Notification:**

Michigan College of Beauty (MCB), through designated personnel, is responsible for issuing a "timely warning" if a crime has been reported and MCB determines there is a serious or continuing threat to the campus community. In addition, MCB is required to send an immediate "emergency notification" to the campus community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees.

The decision to issue a "timely warning" or an "emergency notification" will be decided on a case-by-case basis in compliance with the Clery Act and after consideration of available fact. The issuance of a timely warning may depend on the nature of the crime, the continuing danger to the campus community, and possible risk of compromising law enforcement efforts. Similarly, the issuance of an emergency notification depends upon the particular health or safety threat. MCB will, without delay, take into account the safety of the community, determine the content of the notification and initiate the emergency notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

MCB's Leadership Committee (School Manager, Director and President) will determine if an ongoing or continuing threat is a serious situation on campus, such that a timely warning should be issued. A timely warning will be issued if two or more members of the Leadership Committee agree it should be sent. In addition, the Leadership Committee- by agreement of two or more members - also has the authority to decide that an emergency notification should be issued.

If a "timely warning" or "emergency notification" is deemed necessary, it will be issued by the School Manager, through any or all of the following notification methods: (1) School intercom; (2) Emergency Alert, text-based messaging system; (3) MCB Telephone Network.

Depending upon circumstances, a timely warning or emergency notification may result in a partial or total lockdown of the campus in classrooms, offices and other areas of the school. The school will be secured as reasonably possible and student, the general public and employees will be directed to a safe location.

MCB may, in appropriate circumstances, include personally identifiable information in a timely warning. Although personally identifiable information is generally protected from disclosure under FERPA, such information may be released in an emergency situation. The Department's FERPA regulations, at 34 CFR 99.36, describe the rule relating to the disclosure of information in health and safety emergencies.

Please pay careful attention to both types of warnings as they are designed to provide information that will enable you to take action to protect yourself. In the event of an emergency notification, a follow up message(s) will also be provided via the methods previously described to keep the campus community reasonably informed of the status of the event.

MCB is required to test its emergency notification methods. Typically, such tests will be conducted twice per year. Tests will be conducted by Leadership Committee, and will include information advising that it is a "TEST." These tests are designed to prepare you in case there is an actual emergency. Tests are scheduled, contain drills to test procedural operations (e.g. intercom system) and contain exercises involving coordination efforts. Tests will also include follow-through activities designed to review the test. Tests are designed for the assessment of emergency plan and will have measurable goals. Tests will also be designed for evaluation of emergency plans and capabilities.

Outcomes of each test, including a description of the exercise, date, time, length and whether the test was announced or unannounced, will be documented. MCB maintains emergency test documentation for a period of seven years.

Anyone with information warranting a timely warning or emergency notification should provide the information to the MCB School Manager, by phone (734) 241-8877, Ext. 11, in person at the MCB Manager office located at 1020 S. Monroe St., Monroe MI 48161 or email at [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com)

#### **Daily Crime Log and Fire Log:**

The Campus Safety Crime Log and Fire Log are available upon request in the School Manager's office located at 1020 S. Monroe St., Monroe MI 48161. The MCB School Manager can be reached by phone (734) 241-8877, Ext. 11 or email at [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com)

#### **Missing Student Notification Policy and Procedures:**

If a member of the College community has reason to believe that a student is missing, he or she should immediately notify the School Manager at 734-241-8877, extension 11. The School Manager will generate a missing person report and initiate an investigation.

In addition to registering a general emergency contact, students have the option to identify confidentially an individual to be contacted by MCB in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, MCB will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so through the MCB School Manager. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement.

After investigating a missing person report, should MCB determine that the student has been missing for 24 hours, MCB will notify the Monroe Police Department and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, MCB will notify the student's parent or legal guardian immediately after MCB has determined that the student has been missing for 24 hours.

**Access Policy and Building Security:**

During business hours, MCB will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to the school will require prior notification and admittance by the School Manager. During times of extended closing, MCB will admit only those with prior approval to the facilities. MCB does not have residence halls. While closed, the facility will be locked and monitored by an alarm system.

MCB business hours: Monday from 9am-2:15pm; Tuesday, Wednesday and Thursday from 9am-4:30pm; Friday from 9:30-4:30pm; Saturday from 8:30-4pm.

The facilities are maintained in a manner that minimizes hazardous conditions. Campus instructors monitor campus and report malfunctioning lights and other unsafe conditions and report them to the MCB School Manager immediately. For more information please contact the MCB School Manager by phone (734) 241-8877, Ext. 11 or email at [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com)

**Definitions of Geography:**

As specified in the Clery Act, the following property descriptions are used to identify the location of crimes on and around the MCB campus.

On-Campus Buildings or Property:

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; and
2. Any building or property that is within or reasonably contiguous to the area identified in the above paragraph, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

Non-Campus Buildings or Property:

MCB does not own or control any buildings or property located off campus, in another city or another country. MCB also does not have any officially recognized student organizations. As a result, MCB does not have what the Clery Act refers to as "non-campus buildings or property."

Public Buildings or Property:

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

MBC crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.



### **Weapons and Dangerous Devices Policy Possession:**

Possession and/or use of firearms, weapons, fireworks, ammunition, flammable, or incendiary devices is prohibited on MCB property and at all related events, regardless of location.

### **MCB Policy on Drug and Alcohol Use:**

MCB has adopted the following policy, consistent with requirements of the new Federal drug-free campus regulations and with Federal, State and local law, with respect to drug and alcohol use on campus. All students, employees and visitors are specifically prohibited from the unlawful possession, use, sale or distribution of illicit drugs and alcohol while on College property. An exception will be made at those functions for which permission to serve alcohol has been obtained through the proper channels and then only for those who are of legal drinking age. Offenders will be subject to legal and/or disciplinary action by the College. Sanctions will be consistent with local, State and Federal law and will range from a disciplinary reprimand or a requirement to complete a rehabilitation program up to suspension, expulsion or referral for prosecution.

### Health Hazards:

Use of alcohol and illegal drugs is hazardous to your health. Alcohol, in small doses acts as a depressant and affects self-control. In large doses, it dulls sensation and impairs muscular coordination, memory and judgment. Prolonged use of alcohol is associated with brain damage, cancer, heart disease, liver damage, ulcers, gastritis, and damage to the adrenal and pituitary glands. Prolonged excessive drinking can shorten the life-span by ten to twelve years.

The health risks associated with the use of illegal drugs include slowed reactions, distortion of reality flashbacks, hallucinations, lesions, infection, malnutrition, physical dependency, convulsions, respiratory paralysis, heart problems, coma and death.

### Legal Sanctions:

The use, possession or distribution of alcohol by minors (in the State of Michigan, anyone under 21) is a legal offense punishable by fines and imprisonment. For individuals of any age, distribution of alcohol to minors and certain behaviors resulting from alcohol consumption, such as drunk driving, are likewise offenses punishable by law.

The use, possession or distribution of illegal drugs is a Federal offense. Possession is punishable by fines of up to \$5,000 and up to two years imprisonment, while distribution is punishable by fines of up to \$25,000 and up to 15 years imprisonment.

There are drug or alcohol counseling treatment and rehabilitation facilities available in our area where you can seek advice and treatment. There are national organizations one can contact for help. The Alcoholism and Drug Abuse Hotline is open 24 hours: 1-800-252-6465. The Cocaine Hotline: 1-800-444-9999 is open 24 hours a day. The National Institute on Drug Abuse Hotline is available 8:00 a.m. to 2:00 a.m. Monday through Friday and 11:00 a.m. to 2:00 a.m. on weekends: 1-800-662-4357.

### Additional resources:

Michigan Director  
Office of Substance Abuse Services  
Department of Public Health  
P. O. Box 30195  
Lansing, MI 48909  
(517) 335-8810

Alcoholics Anonymous (734) 457-4777  
Bixby Medical Center—Sage Center 818 Riverside Ave. • Adrian, MI 49221 (517) 265-0411  
Catholic Social Services of Monroe County 16 East 5th Street • Monroe, MI 48161 (734) 242-3800  
Focus Healthcare of Ohio 1725 Timberline • Maumee, OH 43537 (419) 891-9333  
Medical College of Ohio 3000 Arlington Ave. • Toledo, OH 43614 (419) 383-5691  
Mercy Memorial Hospital—The Family Center 718 N. Monroe St. • Monroe, MI 48162 (734) 242-9836 1-888-233-4340  
Monroe Community Mental Health Authority 1001 S. Raisinville Rd. • Monroe, MI 48161 (800) 886-7340  
Oakwood Heritage Hospital-Substance Abuse Center 5450 Fort St. • Trenton, MI 48183 (734) 671-3800  
Salvation Army Harbor Light—Monroe County Alcohol Center 3580 S. Custer • Monroe, MI 48161 (734) 242-5050

#### Education and support programs:

MCB is interested in the continued good health and personal well-being of the employees and students and we recognize that employees and students suffering from alcohol or drug dependence can be treated. Periodically during the year, the MCB School Manager, in cooperation with several of the organizations provided in the list above, presents prevention and awareness sessions on drug and alcohol abuse. Confidential information is available through the MCB School Manager's office, which can be reached at 734-241-8877 or email at [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com). Additional information, educational programs, support and referral for treatment are available to help address your issues or for you to help a friend.

#### **State and Federal Sanctions:**

Local, state, and federal law enforcement officials independent of sanctions and penalties issued by MCB may pursue state and federal sanctions. If a student violates a law concerning substance abuse, not only is that person subject to sanctions with MCB but he/she could face criminal prosecution. MCB sanctions depend on the seriousness and repetitiveness of the behavior. Sanctions range from a disciplinary reprimand or a requirement to complete a rehabilitation program up to suspension, expulsion or referral for prosecution. These are separate from any penalties that would result from a conviction in court. Criminal penalties range from fines to incarceration. Even if you are not aware of the specific laws and sanctions, you are not exempt from them.

#### **Preventing and Responding to Domestic Violence, Dating Violence, and Stalking:**

MCB does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, MCB issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on campus, non-campus or on accessible public property and when it is reported to an MCB official. In this context, MCB prohibits the offenses of domestic violence, dating

violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the community.

### Definitions

There are numerous terms used by MCB in our policy and procedures.

Consent: As defined by the Department of ED: The affirmative unambiguous and voluntary agreement to engage in a specific activity during a sexual encounter. As defined in Michigan as: A person consents to a sexual act by agreeing to it freely and willingly, without being forced or coerced.

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

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

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

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

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

### State of Michigan Definitions Criminal Sexual Conduct MCL 750.520

As used in this chapter:

1. "Actor" means a person accused of criminal sexual conduct.
2. "Developmental disability" means an impairment of general intellectual functioning or adaptive behavior that meets all of the following criteria:
  - It originated before the person became 18 years of age.
  - It has continued since its origination or can be expected to continue indefinitely.
  - It constitutes a substantial burden to the impaired person's ability to perform in society.
  - 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.
    3. "Electronic monitoring" means that term as defined in section 85 of the corrections code of 1953, 1953 PA 232, MCL 791.285.
    4. "Intellectual disability" means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.
    5. "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.
    6. "Intimate parts" includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.

7. "Mental health professional" means that term as defined in section 100b of the mental health code, 1974 PA 258, MCL 330.1100b.
8. "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.
9. "Mentally disabled" means that a person has a mental illness, is intellectually disabled, or has a developmental disability.
10. "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.
11. "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or due to any other act committed upon that person without his or her consent.
12. "Nonpublic school" means a private, denominational, or parochial elementary or secondary school.
13. "Physically helpless" means that a person is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.
14. "Personal injury" means bodily injury, disfigurement, mental anguish, chronic pain, pregnancy, disease, or loss or impairment of a sexual or reproductive organ.
15. "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.
16. "School district" means a general powers school district organized under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.
17. "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:
  - Revenge.
  - To inflict humiliation.
  - Out of anger.
18. "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.
19. "Victim" means the person alleging to have been subjected to criminal sexual conduct.

**Domestic Violence:**

The term "domestic violence" means

1. Felony or misdemeanor crimes of violence Committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

2. 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 Law on Domestic Violence:

764.15a Arrest without warrant for assault of individual having child in common, household resident, dating relationship, or spouse or former spouse.

Sec. 15a.

A peace officer may arrest an individual for violating section 81 or 81a of the Michigan penal code, 1931 PA 328, MCL 750.81 and 750.81a, or a local ordinance substantially corresponding to section 81 of that act regardless of whether the peace officer has a warrant or whether the violation was committed in his or her presence if the peace officer has or receives positive information that another peace officer has reasonable cause to believe both of the following:

1. The violation occurred or is occurring.

2. The individual has had a child in common with the victim, resides or has resided in the same household as the victim, has or has had a dating relationship with the victim, or is a spouse or former spouse of the victim. As used in this subdivision, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

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

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.

**Dating Violence:**

The term "dating violence" means violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim and  
2. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Michigan Laws on Dating Violence MCL 750.81 Domestic 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.

**Stalking:**

The term "stalking" means

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

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

2. For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveys, threatens, or communicates to or about, a person, or interferes with a person's property.

- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

- Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

3. 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 Law on Stalking:

750.411h Stalking; definitions; violation as misdemeanor; penalties; probation; conditions; evidence of continued conduct as rebuttable presumption; additional penalties. Sec. 411h.

As used in this section: 1. "Course of conduct" means a pattern of conduct composed of a series of 2 or more separate noncontinuous acts evidencing a continuity of purpose.

2. "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

3. "Harassment" means conduct directed toward a victim that includes, but is not limited to, 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.

4. "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.

5. "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:

- Following or appearing within the sight of that individual.

- Approaching or confronting that individual in a public place or on private property.
- Appearing at that individual's workplace or residence.
- Entering onto or remaining on property owned, leased, or occupied by that individual.
- Contacting that individual by telephone.
- Sending mail or electronic communications to that individual.
- Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual

6. "Victim" means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.

An individual who engages in stalking is guilty of a crime as follows:

1. 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.
2. 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.

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:

1. Refrain from stalking any individual during the term of probation.
2. Refrain from having any contact with the victim of the offense.
3. 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.

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.

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.

#### **Education and Prevention Programs:**

MCB engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

MCB prohibits any and all acts of sexual discrimination and misconduct along with acts of dating violence, domestic violence, sexual assault, stalking and hate crimes. We are committed to increasing awareness by providing students and employees, and the entire campus community, with educational and prevention awareness information through online resources, as well as through

partnerships with external agencies, such as the Michigan State Police. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
3. Defines what behavior and actions constitute consent to sexual activity in the State of Michigan and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
4. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.

Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

5. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act. The College has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation.

#### **Procedures for Reporting a Complaint:**

MCB has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance and other services as well as additional remedies to prevent contact between a complainant and an accused party. MCB will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the school authorities or local law enforcement.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/ or is occurring or may be helpful in obtaining a protection order.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at a local hospital. In Michigan, evidence may be collected even if you chose not to make a report to law enforcement. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping



pictures, logs or other copies of documents, if they have any, that would be useful to College hearing boards/investigators or police. Although MCB strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. MCB will assist any victim with notifying local police if they so desire.

The Monroe Police Department may also be reached directly by calling 734-241-3300, or in person at 100 E. 2<sup>nd</sup> St., #1, Monroe MI 48161. Additional information about the Monroe Police Department may be found online at: <https://www.monroemi.gov/cityhall/departments/police>

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the MCB School Manager, Tammy Williams, whose office is located in the school manager office which is located at 1020 S. Monroe St. Monroe, MI 48161. Tel: 734-241-8877, Ext. 11. Email address: [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com)

The College will provide resources, on campus off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the MCB School Manager or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to MCB the below are the procedures that MCB will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

#### Incident Being Reported: Sexual Assault

Procedure Institution Will Follow:

1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care
2. Institution will assess immediate safety needs of complainant.
3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department.
4. Institution will provide complainant with referrals to on and off campus mental health providers.
5. Institution will assess need to implement interim or long term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties.
6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate.
7. Institution will provide written instructions on how to apply for Protective Order.

8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution.
9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is.
10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

Evidentiary Standard: Preponderance of the Evidence

If a report of domestic violence, dating violence, sexual assault or stalking is reported to MCB, the below are the procedures that the College will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Incident Being Reported: Stalking

Procedure Institution Will Follow:

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department.
3. Institution will provide written instructions on how to apply for Protective Order.
4. Institution will provide written information to complainant on how to preserve evidence.
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate.

Evidentiary Standard: Preponderance of the Evidence

Incident Being Reported: Dating Violence

Procedure Institution Will Follow:

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department.
3. Institution will provide written instructions on how to apply for Protective Order.
4. Institution will provide written information to complainant on how to preserve evidence.
5. Institution will assess need to implement interim or long-term protection measures to protect the compliant, if appropriated.
6. Institution will provide a "No trespass"(PNG) directive to accused party if deemed appropriate.

Evidentiary Standard: Preponderance of the Evidence

Incident Being Reported: Domestic Violence

Procedure Institution Will Follow:

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department.

3. Institution will provide written instructions on how to apply for Protective Order.
4. Institution will provide written information to complainant on how to preserve evidence.
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate.

Evidentiary Standard: Preponderance of the Evidence

**Assistance for Victims - Rights & Options:**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, MCB will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Michigan, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

MCL 780.753 Information to be given victim:

Sec. 3. Within 24 hours after the initial contact between the victim of a reported crime and the law enforcement agency having the responsibility for investigating that crime, that agency shall give to the victim the following information in writing:

1. The availability of emergency and medical services, if applicable.
2. The availability of victim's compensation benefits and the address of the crime victim's compensation board.
3. The address and telephone number of the prosecuting attorney whom the victim should contact to obtain information about victim's rights.
4. The following statements: "If you would like to be notified of an arrest in your case or the release of the person arrested, or both, you should call [identify law enforcement agency and telephone number] and inform them." "If you are not notified of an arrest in your case, you may call this law enforcement agency at [the law enforcement agency's telephone number] for the status of the case".

MCL 780.754 Return of property to victim; retention of evidence. Sec. 4.:

1. The law enforcement agency having responsibility for investigating a reported crime shall promptly return to the victim property belonging to that victim which is taken in the course of the investigation, except as provided in subsections (2) to (4).
2. The agency shall not return property which is contraband.
3. The agency shall not return property if the ownership of the property is disputed until the dispute is resolved.
4. The agency shall retain as evidence any weapon used in the commission of the crime and any other evidence if the prosecuting attorney certifies that there is a need to retain that evidence in lieu of a photograph or other means of memorializing its possession by the agency.

Further, MCB complies with Michigan law in recognizing orders of protection, Personal Protection Orders (PPO) and Restraining Orders. Any person who obtains an order of protection from Michigan or any other state should provide a copy to the School Manager. A complainant may then meet with the School Manager to develop a Safety Action Plan, which is a plan for the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but not limited to:

escorts, special parking arrangements, changing classroom location, etc. MCB cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services in conjunction with the Monroe County Crime Victim's Rights Unit.

Personal Protection Orders are available from the Monroe County Clerk's Office Monday through Friday from 8:00 AM to 11:45 PM and 1:00 PM to 3:45 PM. If you need more information please call 734-240-7022 or:

[https://www.co.monroe.mi.us/officials\\_and\\_departments/officials/county\\_clerk/personal\\_protection\\_orders.php](https://www.co.monroe.mi.us/officials_and_departments/officials/county_clerk/personal_protection_orders.php)

MCB may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, MCB offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal College investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, MCB will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

MCB does not publish the name of crime victims nor house identifiable information regarding victims in the school's Daily Crime Log or online.

#### **Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking:**

- Promedica Monroe Regional Hospital 718 North Macomb Street Monroe, Michigan 24-hour hotline - (734) 625-7116
- Monroe Community Mental Health Authority 1-800-886-7340 - 24-hour emergency services 1001 S. Raisinville Road Monroe, MI 48161
- Michigan Department of Health and Human Services 734-243-7200 903 S. Telegraph Rd. Monroe, MI 48161
- Monroe County Health Department - Main Office 734-240-7800 Toll Free - 1-888-354-5500 2353 S. Custer Rd. Monroe, MI 48161
- RAINN - Rape, Abuse, & Incest National Network <https://rainn.org/> 1-800-656-HOPE
- National Sexual Violence Resource Center (NSVRC) - 1-877-739-3895
- Not Alone - An official website of the United States Government - <https://www.notalone.gov/>
- Step Up - Be a Leader, Make a Difference: <http://stepupprogram.org/topics/sexual-assault/>

#### **How to be an Active Bystander:**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/ employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

#### **Risk Reduction:**

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

#### **Adjudication of Violations:**

MCB strictly prohibits all acts of domestic violence, dating violence, sexual assault and stalking. In addition to facing criminal investigation and prosecution, students, employees, and other affiliates may also face action by MCB. When students or employees are accused of having engaged in domestic violence, dating violence, sexual assault, or stalking, the College may, depending on the facts alleged, issue interim safety measures prior to the resolution of the charges. Such interim safety measures might include issuing No Contact Orders between the parties, altering an individual's work or class schedule, placing an employee accused of misconduct on administrative leave, or placing a student accused of misconduct on an interim suspension.

MCB's Title IX Coordinator will oversee all investigations of allegations of gender-based violence. The MCB Title IX Coordinator is Tammy Williams and can be reached at 734-241-8877, Ext. 11 or via email at: [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com). Employees who are found responsible for having committed such a violation could face termination of employment, and students who are found responsible for having committed such a violation may face disciplinary probation, deferred suspension, suspension from the college, or dismissal from the college. In addition, MCB may issue No Contact Orders and No Trespass Orders to those found responsible.

If a Title IX investigation concludes that evidence exists which suggests a student more likely than not engaged in domestic violence, dating violence, sexual assault, or stalking, the matter will be

referred to the MCB President for adjudication pursuant to the Student Code of Conduct. The Office of Human Resources will handle any incidents involving employees and College affiliates who are found by the College to have engaged in behavior that violates College policy, including but not limited to domestic violence, dating violence, sexual assault, or stalking.

All conduct proceedings shall provide a prompt, fair, and impartial investigation and resolution. All investigations and proceedings shall be conducted by officials who receive annual training on the nature of the types of cases they are handling, how to conduct an investigation, and how to conduct a proceeding in a manner that protects the safety of survivors and promotes accountability. MCB seeks to investigate and adjudicate any official complaints of domestic violence, dating violence, sexual assault, or stalking that are filed with the College within sixty (60) days of receipt of that complaint, unless mitigating circumstances require the extension of time frames beyond sixty (60) days. Such circumstances may include the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, school breaks or vacations that occur during the pendency of an investigation, or other unforeseen circumstances. In these matters the complainant and the respondent shall be notified, provided an explanation, and given information about the amount of additional time required. In all investigatory and adjudication proceedings conducted by MCB concerning charges of sexual misconduct, domestic violence, dating violence, or stalking, including any related meetings or hearings, both the complainant and the respondent will be afforded the same process rights, including equal opportunities to have others present. This includes the right to be accompanied by an advisor of their choice. Both the complainant and respondent will also be afforded an equal opportunity to introduce evidence and identify witnesses. When a student is accused of any violation of the student code of conduct, including but not limited to charges that he or she engaged in domestic or dating violence, sexual assault, or stalking, the charges will be decided using the preponderance of evidence standard, which means that it is more likely than not that the reported misconduct occurred. The Title IX Coordinator has discretion to decide whether sufficient evidence warrants referring charges of misconduct against a student to an Administrative/Faculty Hearing Board (a "Board"). If a Board hears such charges and issues a finding of responsibility against a student respondent, the Board may also recommend sanctions to the MCB President. However, MCB President retains authority to determine the sanctions that will be issued to any student who has been found responsible for violating the Code of Conduct. When the Title IX Coordinator completes an investigation and/or when a Board issues a decision, both the complainant and the respondent shall simultaneously be informed in writing within 7 business days of the outcome of the investigative or adjudicative proceeding. Both the complainant and respondent will be given the same procedures and timeframe to appeal the outcome of the proceeding, both parties will receive the same process rights if an appeal is granted, and the parties will both receive timely notice when the outcome becomes final. Disclosure of the outcome shall be made to both parties unconditionally, and each shall be free to share or not share the details with any third parties.

A decision reached by the Board or a sanction imposed by the Board may be appealed by accused students or complainants to the MCB President or designee within five (5) days of the decision. Such appeals shall be in writing and shall be delivered to the MCB President or his/her designee. The written appeal must state the grounds and rationale for claiming that an appeal is warranted.

Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes: 1) To determine whether the original hearing was conducted fairly in light of the charges and evidence presented and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code of Conduct was violated and giving the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations. 2) To determine whether the decision reached regarding the accused student was based on substantial evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct occurred. 3) To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct which the student was found to have committed. 4) To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such evidence and/ or facts were not known to the person appealing at the time of the original hearing.

If an appeal is upheld the matter may be remanded to the Board with specific instructions for reconsidering the original determination, sanction(s) or both. In cases involving appeals by students accused of violating the Student Code of Conduct, a review of the sanction(s) may not result in more severe sanction(s) for the accused student. Instead, following an appeal, the MCB President may, upon review of the case, reduce or uphold, but not increase, the sanction(s) imposed by the Board. In cases involving appeals by persons other than students accused of violating the Student Code of Conduct, the MCB President may, upon review of the case, reduce, uphold or increase the sanction(s) imposed by the Board.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, MCB's ability to respond to the complaint may be limited. Confidentiality, MCB will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

#### **Student Sanctions and Protective Measures:**

In all cases, investigations that result in a finding of more likely than not that a violation of the POLICY occurred will lead to the initiation of disciplinary procedures against the accused individual.

Sanctions may include the following:

- Admonition — An oral statement to the student offender confirming violation of the Student Code of Conduct.
- Official Warning - A notice in writing that the student is violating or has violated College regulations.
- Loss of Campus Privileges - Denial of specified privileges for a designated period of time.
- Fines - Previously established fines may be imposed.
- Disciplinary Probation - A temporary suspension of a person's good standing in the College.

Disciplinary probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any College regulation(s) during the probationary period. The student remains enrolled in the College but under the stated conditions of the probation.



- **Mandated Counseling** - An assessment with the College Counseling Services or off-campus personnel may be required, in addition to following a prescribed treatment program.
- **College Suspension** - Suspension establishes a fixed period of time during which the student may not participate in any academic or other activity of the College. Suspension means that the student is physically separated from the College, must leave the campus and remain off-campus during the period of suspension. The student must leave campus within 24 hours of the suspension. During the suspension period, the student may return to campus only for official business if given prior written approval by the MCB President.
- **College Dismissal** - Permanent termination of student status, with no option to reapply. As with College Suspension (see above), dismissed students are required to leave campus within 24 hours of dismissal. Parents or guardians of a dependent student may be informed of all actions of dismissal.

For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: an order of no contact, adjustment of course schedules, a leave of absence, or reassignment to a different classroom or instructor. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by MCB. MCB will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

#### **Sex Offender Registration:**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. In Michigan, convicted sex offenders must register with the Michigan State Police Link to: [Michigan Sex Offenders List](http://www.michigan.gov/msp/) or <http://www.michigan.gov/msp/>

#### **Fire Safety Report:**

As a part of the U.S. Department of Education's reporting requirements, Michigan College of Beauty - Monroe is required to notify our student body of any fires that have occurred on our campus.

Should you have any questions regarding our statistics or policies, please see the School Manager for assistance at 734-241-8877, Ext. 11 or via email at: [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com)

**2019-2021 Information:**

<b>Type of Incident:</b>	<b>Number of Occurrences:</b>	<b>Cause:</b>
Unintentional Fire	0	N/A
Intentional Fire	0	N/A
Undetermined Fire	0	N/A
Number of injuries resulting in a treatment at medical facility	0	N/A
Value of property damage caused by fire	0	N/A

A copy of our fire safety report is provided to our students at the time of enrollment and by October 1st of each year.

The school does not have on-campus housing, so we do not have any fire statistics to report for student housing. In the event of a fire:

- a. All occupants should proceed to the nearest available exit in an orderly, calm manner.
- b. Leave all personal belongings behind.
- c. Assist the elderly, handicapped, and children to the nearest exit.
- d. Do not attempt to contain the fire. Evacuate immediately and leave containment to trained professionals.
- e. Once safely outside, stand in a group at a safe distance from the building. Instructors will take a count to ensure no one is still inside.
- f. The School Manager will call fire officials or delegate it to (one) person. Also she will notify the other building occupants, if applicable.
- g. When reporting the fire to the officials:
  - Indicate the name of the institution.
  - Indicate the location of the institution.
  - Indicate your name.
  - Indicate possible injuries (need for paramedics/ambulance).
  - Indicate the suspected cause: i.e., electrical, chemical, gas, etc.
- h. Remain calm and help calm others.

The school held one fire drill during the last calendar year.

The school during student orientation reviews the school's fire safety procedures and exit plans. Emergency evacuation plans are posted throughout the school and are reviewed with students and staff. The school is a non-smoking facility. Students at no time should have an open flame within the school premises. The use of portable electrical appliances are limited to appliances used in the practice of cosmetology and cosmetology related services and are to be used only after training has been provided by the instructional staff and under instructional supervision. If a fire should occur, please pull the fire alarm and inform the nearest staff member who in turn will notify the School Manager. The School Manager will call 911 to alert the local fire department. The school has an

effective plan for the implementation of fire safety and evaluates it yearly. At this time, the school has no plans to make any changes to its policy or procedure.

**Campus Crime Statistics:**

	On Campus			Accessible Public Property		
	2021	2020	2019	2021	2020	2019
<b>Offense</b>						
Murder/non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
<b>Sexual Offenses Total</b>						
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	1	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
<b>Crimes not Reported by Hierarchy</b>						
Arson	0	0	0	0	0	0
Stalking (VAWA)	0	0	0	0	0	0
Domestic Violence (VAWA)	0	0	0	0	0	0
Dating Violence (VAWA)	0	0	0	0	0	0
<b>Arrests</b>						
Liquor Law Violations	0	0	0	1	1	0
Drug Violations	0	0	0	1	1	0
Weapons Violations	0	0	0	0	0	0
<b>Non Arrest Criminal Referrals</b>						
Alcohol	0	0	0	0	0	0
Drug violations	0	0	0	0	0	0
Weapons violations	0	0	0	0	0	0
<b>Hate Crimes</b>						
Murder/non-Negligent Manslaughter	0	0	0	0	0	0

Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
simple assault	0	0	0	0	0	0
larceny-theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/damage vandalism of property	0	0	0	0	0	0
<b>MCB Does not have On-Campus Residence Facilities</b>						
<b>MCB does not have Non-campus buildings or property</b>						

**Crime Statistics Definitions:**

Hate Crimes: Each statistic, resulting in bodily injury that is motivated by a type of bias or prejudice will have a superscript notation for the type of bias. A number in superscript parenthesis indicates the number out of the total number of incidents that were motivated by each type of bias. The type of bias or prejudice is coded as follows: Race = ra, Gender = g, Religion = re, Sexual Orientation = s, Ethnicity = e, Disability = d.

Non-campus property: Data in this category could not be determined; information from the local law enforcement agency, could not be broken down by crimes relating to the Clery Act or geographical location specific to this institution.

Murder/Non-Negligent Manslaughter: the willful (nonnegligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: the killing of another person through gross negligence.

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

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

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

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

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

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.

Drug Abuse 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, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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.)

#### **Sex Offense Definitions:**

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape: (except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/ her temporary or permanent mental or physical incapacity This offense includes the rape of both males and females as long as at least one of the offenders is the opposite sex of the victim. Black's Law Dictionary, 6th ed., defines carnal knowledge as "the act of a man having sexual bodily connections with a woman; sexual intercourse." There is carnal knowledge if there is the slightest penetration of the sexual organ of the female (vagina) by the sexual organ of the male (penis).

Sodomy: Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

Sexual

Sexual Assault with an object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity An "object" or "instrument" is anything used by the offender other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental 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 if the offender used or threatened the use of force or the victim was incapable of giving consent because of his/her youth or mental impairment, either temporary or permanent, law enforcement should classify the offense as Rape, not Statutory Rape.

**The Annual Disclosure of Crime Statistics and Annual Security Report:**

MCB prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The School Manager compiles the continual ongoing statistics throughout the year. The full text of this report can be located on our website: (<https://michigancollegebeauty.com/annual-security-report/>).

This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and Campus Security Authorities, specifically the MCB President, the MCB Director and the School Manager. Each entity provides updated information on their educational efforts and programs to comply with the Act. Campus crime, arrest, and referral statistics include those reported to the Monroe Police Department, designated campus officials (including but not limited to: directors, MCB school manager, instructors, administrative staff, admissions staff, financial aid staff, etc.), and local law enforcement agencies. Each year by October 1st, an e-mail notification is made to all enrolled students, faculty, and staff that provides the website to access this report. All prospective employees may obtain a copy of this report from the School Manager at 734-241-8877, Ext. 11 or via email at: [administration@michigancollegebeauty.com](mailto:administration@michigancollegebeauty.com). All prospective students may receive the website address through the Admissions Coordinator at 734-241-8877, Ext. 15 or via email at: [admissions@michigancollegebeauty.com](mailto:admissions@michigancollegebeauty.com)