



MICHIGAN DEPARTMENT OF
**LABOR & ECONOMIC
OPPORTUNITY**



**2022
CAMPUS SAFETY
REPORT**



Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act (Clery Act) is a consumer protection law that aims to provide transparency concerning campus crime policy and statistics. In order to comply with Clery Act requirements, schools must understand what the law entails, where their responsibilities lie, and what they can do to actively foster campus safety. Michigan Career and Technical Institute (MCTI) has worked carefully to make this annual report comprehensive.

Institutions should have adequate policies and programs to prevent crimes and to respond to reports and emergencies. MCTI is committed to doing just that and works to enhance safety in part by thoroughly tracking crimes and unusual incidents. This report not only meets legally required data compliance and disclosure obligations, but it also discusses how MCTI is creating a safe and healthy campus.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires all institutions of higher education participating in federal financial aid program to maintain and disclose crime and security information. However, the Clery Act requires that crimes be counted in the calendar year reported—regardless of the year in which the incident occurred.

MCTI is committed to providing the best learning and working environment for our campus community. Should you have questions or concerns regarding campus safety or this report, please feel free to contact me directly.

Sincerely,

Jennifer Zuniga, Director
Michigan Career and Technical Institute
11611 W. Pine Lake Road
Plainwell, MI 49080
(269)-664-9200 or (877)-901-7360



QUICK REFERENCE RESOURCES

If you need to report a fire, medical, or other emergency, off campus DIAL 911.

In the event of a fire, first response fire-fighting service is provided by Prairieville Township Volunteer Services Department’s 24-hour service. All buildings on campus are equipped with fire alarm systems and accessible fire extinguishers; many have smoke detection and automatic sprinkler systems. In addition, fire drills are conducted on a regular basis.

ON-CAMPUS EMERGENCY TELEPHONE NUMBERS

DORMITORY HELP LINE 202
 (IF NO ANSWER CALL 269-348-5307 & 269-779-7436)

FIRE & SAFETY OFFICE 560
 (IF NO ANSWER CALL 269-303-6518)

LOCAL FIRE DEPARTMENT	9-911
LOCAL POLICE DEPARTMENT	9-911
24 HOUR SEXUAL ASSAULT CRISIS LINE	9-269-385-3587

NON-EMERGENCY TELEPHONE NUMBERS

Dormitory	269-664-9202
Dormitory Cell	269-348-5307
Dormitory Cell	269-779-7436
Fire and Safety	269-664-9560
Fire and Safety Shared Cell	269-303-6518
Prairieville Township Police Department	269-623-4800
Barry County	269-948-4800



Crime Information and Statistics

At Michigan Career and Technical Institute (MCTI) we take safety very seriously. Each member of the campus community—students, faculty, and staff--take an active role in preventing and reporting incidents that jeopardize safety on campus. Please review this information carefully.

MCTI, in compliance with the Jeanne Clery Disclosure Act and Higher Education Opportunity and the Campus Crime Statistic Act and the Higher Education Opportunity Act (“Clery Act”), has published this document to provide its students and employees with an overview of the school’s security and safety resources, policies and procedures. A hard copy of this document may be obtained by contacting the Fire and Safety Office at (269) 664-9560 or on our website Michigan.gov/MCTI. MCTI also reports the annual crime and fire statistics contained in this report to the U.S. Department of Education. A searchable database containing those statistics can be found at: [Campus Safety and Security \(ed.gov\)](http://Campus Safety and Security (ed.gov))

This report contains general information about the campus, fire and safety resources, reporting crimes, coordination between MCTI and local law enforcement agencies, crime and fire prevention, victim support services, residence hall security, crime and fire statistics, MCTI’s Non-Discrimination and Misconduct Policy, and MCTI’s Drug and Alcohol Policy. It also contains information about alcohol laws and penalties, and campus alcohol and other drug education and counseling resources.

Campus crime statistics included in this report are gathered from a variety of sources, including campus fire and safety office and local law enforcement agencies. The MCTI Clery Report is prepared by the Student Services Manager, Kasey Burlew and Thomas Miller, Fire and Safety Lead Worker. Contact information is:

Kasey Burlew, Student Services Manager
Michigan Career and Technical Institute
11611 W Pine Lake Rd.
Plainwell, MI 49080
(269) 664-4461 or (877) 901-7360

Tom Miller, Fire and Safety Lead Officer
Michigan Career and Technical Institute
11611 W Pine Lake Rd.
Plainwell, MI 49080
(269) 664-4461 or (877) 901-7360

MCTI has established a Safety Committee, chaired by the Kasey Burlew, Student Services Manager to enhance efficiency and coordination to provide an effective response to the Clery Act obligations including the draft of this report. The group is comprised of representatives from instructional staff, fire and safety staff, administration, Title IX coordinator, leisure staff and health services staff. Specifically, this group reviews policies and procedures related to Clery, statistics, Critical Incident Report and discusses ways to improve these various components of Clery compliance. This group meets monthly and discusses specific Clery-related issues.

Criminal Offenses- On Campus Student Housing			
	2021	2020	2019
Murder/Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	0	0	0
Fondling	0	0	2
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	1
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Criminal Offenses- Public Property			
	2021	2020	2019
Murder/Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Violence Against Women Act (VAWA) Have reported the following statistics for MCTI

VAWA Offenses - On Campus	2021	2020	2019
Domestic Violence	0	0	0
Dating Violence	0	0	1
Stalking	0	0	0

VAWA Offenses - On Campus Student Housing	2021	2020	2019
Domestic Violence	0	0	0
Dating Violence	0	0	1
Stalking	0	0	0

VAWA Offenses – Public Property	2021	2020	2019
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

ARRESTS - On Campus	2021	2020	2019
Weapons-carrying, possessing	0	0	0
Drug Abuse violations	0	0	0
Liquor Law violations	0	0	0

ARRESTS - On Campus Student Housing	2021	2020	2019
Weapons-carrying, possessing	0	0	0
Drug Abuse violations	0	0	0
Liquor Law violations	0	0	0

ARRESTS – Public Property	2021	2020	2019
Weapons-carrying, possessing	0	0	0
Drug Abuse violations	0	0	0
Liquor Law violations	0	0	0

Hate Crimes – On Campus 2021	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Hate Crimes – On Campus 2020	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0

Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Hate Crimes – On Campus 2019									
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Hate Crimes – On Campus Student Housing Facilities 2021									
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0

Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0

Hate Crimes – On Campus Student Housing Facilities 2020										
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin	
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0

Hate Crimes – On Campus Student Housing Facilities 2019										
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin	
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0

Statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Hate Crimes – On Campus Public Property 2021									
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Hate Crimes – On Campus Public Property 2020									
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0

Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Hate Crimes
– On Campus
Public
Property
2019

	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0



Our Campus

Michigan Career and Technical Institute (MCTI) was founded in 1944 as a Vocational Training Center for Veterans in conjunction with Western Michigan University Industrial Arts Program. MCTI is a vocational and technical training center for adults with disabilities and is the second largest rehabilitation training center in the country.

MCTI is located on Pine Lake in southwestern Barry County. Our campus encompasses 72 acres of land and access to 700 feet of Pine Lake. Our classrooms, dorm rooms, cafeteria, library, and other services are located in one building. There are 350 beds available in the dormitory plus an additional 15 additional 2-3 bedroom apartments which are managed by the Pine Lake Fund. The curriculum includes 13 training programs, career readiness services, and education remediation programs. MCTI is supported by Michigan Rehabilitation Services and those clients receive free tuition, room and Board.

MCTI offers a comprehensive approach to training which includes on campus services for medical and counseling, occupational therapy, interpreters, classroom and job accommodations and placement services. There are also student employment opportunities.

As of 2019, MCTI has 13 training programs. Each program has an active advisory council made up of people who work in the trade industry. Our advisory councils help ensure curriculum and equipment meet industry standards.

MCTI is recognized by the Council on Occupational Education located at 7840 Roswell Road, Building 300. Suite 325. Atlanta, GA 30350 and the Commissions of Accreditation of Rehabilitation Facilities (CARF). MCTI also works the U.S. Department of Veterans Affairs.

Campus Safety and Security

The Fire and Safety Office is staffed 24/7 when classes are in session. The duties of our fire and safety office include building access control, emergency management, fire safety, parking services, and special event management. This department is responsible for communication to all areas of campus in event of a natural disaster, or criminal activity that may endanger students and staff and conducts educational program on crime reporting and safety (orientation). **Fire and Safety staff are not law enforcement officers. These staff can assist or conduct investigations into incidents on campus, they do not possess the same responsibilities, rights or powers as a law enforcement officer.** Fire and Safety maintains a cooperative relationship with local, county, state and federal law enforcement agencies.

Fire and Safety and MCTI administration are responsible for all the facilities Emergency Operation Plans. This plan provides a comprehensive set of guidelines for directing resources before, during and after campus emergencies and disasters. The Emergency Plan includes guidelines for medical emergencies, acts of violence or crimes,



emergency shelter, facilities management, weather related emergencies, water system management, environmental hazards and building closure.

Testing of Emergency and Evacuation Procedures

Evacuation and sheltering drills are conducted annually. In addition, the facility conducts 8 fire drills each year and 4 tornado drills. The purpose of each drill is to prepare every faculty, student and staff to be prepared for an organized response to an emergency. During each drill, occupants practice drill procedures and familiarize themselves with the location of emergency exits and the sounds of the alarms. The process also provides MCTI an opportunity to test the operation of fire and safety system components in buildings. Fire and Safety office conducts follow-through activities designed for assessment and evaluation of the drill process and emergency evacuation, secure-in-place, and sheltering plans.

If you are a victim of a crime or a witness to one, or if you need to report a fire, medical or other emergency dial 9-911 on campus or 911 from a cell phone. MCTI community members who become aware of criminal activity that represents a threat to students, employees or visitors much report that activity to Fire and Safety immediately, so that the school may issue a warning to the campus community.

Missing Student Notification Policy

In compliance with the Higher Education Opportunity Act, MCTI has established a Missing Student Notification Policy that describes the formal notification procedures to be followed when a student residing in on-campus housing has been reported missing for more than 24 hours. The Missing Student Notification Policy is available in the MCTI [Student Handbook](#).

Upon student registration, all students are requested to provide the Admissions Office with the name and contact information of a personal emergency contact person(s). This information is maintained in the student's file and designated as confidential. MCTI encourages all student to provide personal emergency contact information during orientation.

Incidents of missing students at MCTI should be reported immediately to the Department Manager 269-664-9223, Dorm Staff 269-664-9202, and/or Fire and Safety 269- 664-9560. Upon receipt of a report of a missing student who resides in on-campus housing, staff will notify the Department Manager to authorize a missing student investigation. If MCTI determine that a student has been missing for more than 24 hours and has not returned to campus, MCTI will contact, within 24 hours of the official determination, the person(s) the student designated in the Personal Emergency Contact. Is a missing student is under 18 years of age and not emancipated, the student's custodial parent or legal guardian is also contacted. Information that a student has been determined missing will be forwarded to local law enforcement.

Communication about Emergency Notifications and Safety

In the event of an emergency that poses immediate threat to the safety of MCTI's campus, Fire and Safety Office is responsible for developing and distributing emergency messages to alert the community. Distributed through the RAVE Alert System, emergency messages inform subscribers about incidents and provide direction and information to promote safety.

MCTI has a variety of ways of disseminating emergency information to the community if a threat or emergency occurs: The notification options include:

RAVE System-allows authorized personnel to send a recorded voice message, email, and or text message. The messages contain important information about the emergency. In addition, this notification system is used for emergency drills for Fire Alarms, Tornado Alarms, and Lock Down Drills. Drills are identified as such when issued. When the system is activated, one or more alerts are sent, depending on the situation.

- Public Announcement-MCTI can announce emergency situations over the PublicAddress System.
- Outdoor Speakers-MCTI can announce emergency situations over the Public AddressSystem.
- Tornado Sirens-local sirens are tested the first Saturday of every month. Fire Alarms-MCTI buildings are equipped with fire alarms.

Timely Warnings

The MCTI Director of Student Services or designee is responsible for determining whether or not criminal activity reported to campus security or other authorities warrants the issuance of a timely warning to the campus community. When this staff determines that there may be a serious or continuing threat to the health and safety of on-campus students, employees, or visitors, it will provide a timely warning campus-wide in a manner that is intended to enable campus community members to protect themselves and aid in the prevention of similar crimes. Timely warnings are issues only in the event that a Clery reportable crime occurs on MCTI property.

The particular method of communication by which the timely warning is provided varies depending on the specific circumstances of the crime and the potential threat to safety. Timely warnings may be issued by the RAVE System and/or email sent to staff informing them of a crime.



Emergency Notifications

Emergency Notifications are issued when a significant emergency or dangerous situation (e.g. tornado/severe weather, fire, active shooter, gas leak or terrorist threat) is currently occurring on or imminently threatening campus, the Director or designee has determined that the issuance of the notification is warranted. The Director or designee evaluates information on a case by case basis and determines whether an emergency notification is necessary. The Director or designee determines who will receive the notification based on the type of emergency. Fire and Safety determines the content of the notification based upon what information was available and relevant to ensure safety. Fire and Safety initiates the RAVE emergency notifications system. The warnings are different than a Timely Warning in that it is not limited to Clery Crimes and maybe targeted to certain segments of campus.

Safety and Security Campus Facilities

MCTI works hard to ensure a safe environment. MCTI hosts many events each year that are open to the public each year. The grounds and facilities are not accessible to the general public at times other than these events. The main building is open each day from 8am to 5pm and is not open to the public on the weekends.

Safety and Security Residence Hall

All living areas in the dorm are locked and can be accessed only by residents or staff using an identification card. Residents entering the dorm must scan their MCTI ID on designated doors through the use of electronic key access. Guests must sign in at the dorm office and be accompanied by a current resident of the school at all times. Guests must exit the building by 10pm.

Relationship Violence and Sexual Misconduct

Michigan Career and Technical Institute (MCTI) is committed to promoting and maintaining a learning and working environment free of sexual harassment, misconduct, and discrimination. Examples may include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. MCTI affirms its commitment to promoting the goals of fairness and equity in all aspects of its operations. The policy applies to all members of the MCTI community which include administrators, supervisors, staff, vendors, or others who conduct business with MCTI or who are participating in a MCTI-sponsored program. All guests and visitors have the right to be free from all forms of misconduct. MCTI uses the preponderance of the evidence as a standard for proof of whether a violation occurred.



Campus resolution proceedings are conducted to take into account the totality of allevidence available, from all relevant sources.

It is the policy of Michigan Career and Technical Institute (MCTI) to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination based on sex (including sexual harassment and sexual violence) in all MCTI's educational programs and activities on or off the campus located in Plainwell, MI. MCTI will process all formal Title IX complaints while also prohibiting retaliation for asserting or otherwise participating in claims of sex discrimination.

This policy applies to complaints of sexual harassment, including sexual assault and sexual violence, carried out by employees, students, and third parties. MCTI will respond to reports or formal complaints of conduct prohibited under this policy. The policy's goal is to stop discriminatory effects with measures designed to stop the prohibited conduct, prevent its recurrence, and remedy any adverse effects of such conduct on campus or MCTI related programs or activities.

MCTI will not deprive an individual of rights guaranteed under federal and state law, federal and state anti-discrimination provisions; or federal and state law prohibiting discrimination on the basis of sex when responding to any claim of Title IX Sexual Harassment.

State and Federal Laws

MCTI prohibits the crimes of dating violence, domestic violence, sexual assault, andstalking. Under Michigan Law, these crimes are defined as follows:

Stalking-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.

Domestic Violence-as assault or assault and battery of:

1. a current or former spouse,
2. an individual with whom the assailant has or has had a dating relationship,
3. an individual with whom the assailant has had a child in common, or
4. a resident or former resident of the assailant's household.

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 two individualsin a business or social context.

Dating Violence'-is a form of domestic violence under Michigan Law.

Michigan criminal laws regarding sexual assault are separated into four degrees of criminal sexual conduct. For each of those criminal offenses, the following definitions apply:



'Sexual Contact'-includes the intentional touching of the victim's intimate parts or the intentional touching of the clothing covering the immediate area of the clothing covering the immediate area of the victim's parts, if that intentional touching can be reasonably 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, or out of anger.

"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.

Consent is not defined by Michigan Law. At MCTI, consent is defined as the 'voluntary, willful, and unambiguous agreement to engage in a specific sexual activity during a sexual encounter.

Title IX of the Education Amendments of 1972

The Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. Title IX applies to issues involving both students and employees of MCTI. Title IX states the following:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

Title IX Coordinators have been designated by MCTI and are responsible for coordinating MCTI's efforts to comply with Title IX responsibilities while overseeing the response to reports of Title IX violations while identifying and addressing any pattern or systemic problems.

In addition to the Title IX Coordinators, MCTI has an Equity and Compliance Team which oversees and tracks investigations of complaints and recommends solutions for resolution and monitoring of efforts to comply with Title IX legislation, regulation, and case law.

All Equity and Compliance team members will assure the following standards:

- Will treat both parties and witnesses equitably by providing remedies designed to restore and preserve equal access to MCTI's education programs and activities.
- Will not have any bias or conflict of interest
- Will be trained with materials used not relying on sex stereotypes and will promote impartial investigations and adjudications.
- Equity and Compliance team will ensure an objective evaluation of all relevant evidence including inculpatory and exculpatory evidence.
- Will assure that respondents are presumed not responsible, so that any finding of responsibility only comes at the conclusion of a grievance process.
- All ECT staff and Administration implementing the Grievance procedures will



participate in training on the handling of complaints of sexual harassment, MCTI's Title IX Policy and Grievance Procedures, and applicable confidentiality requirements.

Sexual Harassment is conduct based on sex that meets one or more of the following descriptions:

1. A school employee conditioning an educational benefit or school service on an individual's participation in an unwelcome sexual conduct known as Quid Pro Quo harassment. This is offering a benefit in exchange for unwelcome sexual conduct. This is an abuse committed by a school employee's authority.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to MCTI'S education programs or activities.
3. Sexual assault, dating violence, domestic violence, or stalking based on sex causing fear for safety or causing substantial emotional distress. The terms are defined under other Federal laws called the Clery Act and the Violence Against Women Act and based on the lack of consent.

Sexual harassment may be committed by a school employee or student regardless of the person's race, sexual orientation, disability status or gender identity might be a victim or perpetrator of sexual harassment. The final regulation protects everyone from Sexual Harassment under Title IX. Sexual harassment might consist of verbal, physical or other types of conduct that targets a person based on sex that a person finds unwelcome.

Sexual harassment is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g. due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Gender-based harassment is another form of sex-based harassment and refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature.

The following definitions clarify key terminology as used in this policy.

Complainant refers to the individual(s) who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment.

Formal Complaint refers to a document filed by a complainant (a document or electronic submission) such as by electronic mail that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the individual filing the formal complaint alleging Title IX Sexual Harassment against a respondent and requesting that MCTI investigate the allegation of Title IX Sexual Harassment.



At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity at MCTI. A formal complaint may be filed with the Title IX Coordinators in person, by mail, or by electronic mail, by using the contact information provided in this policy, and by any additional methods identified in this policy.

A Formal complaint may also refer to a document signed by MCTI's Title IX Coordinator alleging Title IX Sexual Harassment against a respondent. Where MCTI's Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party.

Official with Authority refers to individuals who have authority to institute corrective measures on behalf of MCTI.

Party or parties refer to the complainant(s) and the respondent(s).

Report refers to information brought to the attention of an Official with Authority alleging conduct prohibited under this policy; a report is not considered to be a formal complaint. A party may bring a report and then subsequently file a formal complaint.

Respondent refers to the individual(s) who has been alleged to be the perpetrator of conduct that could constitute Title IX Sexual Harassment.

Third party refers to any individual who is not a MCTI student, a staff member, vendor, alumni, or local resident.

Witness refers to any individual who shares information relating to an allegation of prohibited conduct under this policy.

Prevention

MCTI provides several resources and services to assist students and staff in addressing issues involving sex discrimination, harassment, and misconduct. Throughout the year, MCTI staff and students will participate in training to promote awareness; review policies; review the investigation and hearing process, risk reduction, campus safety and resources. MCTI has established an Equity and Compliance Team which will take prompt and effective steps to end misconduct and harassment, prevent its recurrence and remedy any discriminatory effects on the victim and others as appropriate. MCTI uses the preponderance of the evidence (also known as "more likely than not") as a standard for proof of whether a violation occurred. Campus resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources. The Equity and Compliance Team includes the Title IX Coordinator who oversees the policy implementation and develops the education and prevention program designed to address the MCTI community culture.

MCTI implements several intervention approaches toward the prevention of sexual misconduct and victimization including primary and secondary prevention strategies. Students enrolling in the comprehensive vocational evaluation program engage in structured male and female group activities focused on topics related to healthy interactions, prevention, and risk reduction. School resources are reviewed during the student's engagement in the group sessions and reviewed with the students assigned Vocational Counselor. Secondary prevention measures include



notification to students of our policies involving sexual misconduct, dating and domestic violence and the recommended steps to address the short-term impact of occurring incidents.

MCTI provides annual educational seminars regarding Title IX to staff and students. Informational materials are distributed reviewing strategies to reduce the incidence of sexual assault.

Supportive measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, reasonably available and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. MCTI staff can assist with contacting off campus resources. Supportive measures will be offered and available to complainants upon receipt of report, and available to respondents upon receipt of formal complaint. The supportive measures provided to the parties will be kept confidential, to the extent possible.

Supportive Measures for Staff and Students

- Individual counseling offered to students at no charge, on campus
- Employee Assistance Program for MCTI staff
- Emotional Support Animals with proper supportive documentation from treating therapist
- Roommate Agreements
- Medical Leave
- Occupational Therapy Services
- Nursing Services
- Yoga Class
- Alter dorm assignment
- Alter work arrangements for MCTI staff and student employees
- Escort to classes
- Safety planning
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course- or program-related adjustments
- Class schedule modifications, withdrawals, or leaves of absence



MCTI's Equity and Compliance Team affirms MCTI's commitment to promoting the goals of fairness and equity in all aspects of its operations. The ECT team oversees and tracks investigations of complaints and recommends solutions for issue resolution and monitoring of efforts to comply with Title IX legislation, regulation, and case law. The team also tracks and oversees implementation of the policy.

Kasey Burlew, Department Manager, Title IX Co-Coordinator
(269) 664-9223
Burlewk@michigan.gov

Michaela Long, Vocational Rehabilitation Counselor, Investigator
(269) 664-9267
LongM8@michigan.gov

Amanda Matthews, Vocational Rehabilitation Counselor, Investigator
(269) 664-9573
MatthewsA6@michigan.gov

Sen Toda, Vocational Rehabilitation Manager, Title IX Co-Coordinator
(269) 664-9229
TodaS4@michigan.gov

Brian Townsel, Vocational Rehabilitation Counselor, Investigator
(269) 664-9215
TownselB@michigan.gov

Sheila Wright, Vocational Rehabilitation Counselor, Investigator
(269) 664-9219
WrightS2@michigan.gov

Jennifer Zuniga, MCTI Director, Hearing Decision Maker
(269) 664-9260
ZunigaJ@michigan.gov

Karen Pohja, Manager of Career and Technical Education, Appeals Officer
(269) 664-9220
PohjaK@michigan.gov



Investigation Procedures

Any MCTI community member who believes they have been subjected to harassment prohibited by Title IX is encouraged to bring the concern directly to the attention of the Title IX Coordinator, a staff member involved on the Equity and Compliance team or an Administrator as soon as possible in order to facilitate a more accurate and timely investigation. The Title IX Coordinator will be notified of all complaints and respond to immediate health and safety concerns. All complainants will be offered supportive measures.

When MCTI receives a report of alleged sexual harassment, MCTI will take the following steps:

- Promptly contact the complainant and offer them supportive measures, regardless of a formal complaint being filed.
- Explain to complainants that they have an option and process for filing a formal complaint and review the process to complete the complaint form regarding sexual harassment.
- Will not pressure an individual into filing a formal complaint, or into participating in a grievance process.
- Provide a copy of the Sexual Harassment and Non-Discrimination Policy to the complainant.
- MCTI will follow the written Title IX policy for all reports and formal complaints.

MCTI is committed to providing a prompt and impartial investigation and adjudication of all formal complaints alleging violations of MCTI's policies concerning sexual harassment and discrimination and/or Title IX. During the grievance process, both parties (complainant and respondent) have equal rights to participate.

Privacy and Confidentiality:

- All activities under these grievance procedures shall be conducted with due regard for any legitimate privacy and reputational interests of those involved. It is expected that any materials and information prepared or acquired under these grievance procedures will be kept confidential with the exception of parties involved in the grievance process. Parties may include but are not limited to complainants, respondents, witnesses, advisors and the MCTI Equity and Compliance team.
- MCTI will adopt this written grievance process and abide by the procedures and will never use or attempt to use questions or evidence that is protected by a legal recognized privilege, such as the attorney-client privilege or the doctor-patient privilege.
- MCTI cannot unilaterally access or consider a party's records, if those records are made or maintained by a physician, psychiatrist, or other recognized professional and made for the purpose of providing treatment to the party. The records can only be accessed with a party's voluntary written consent.

Where to report Sexual Harassment:

- Individuals are recommended to contact one of the Title IX Co-Coordinators, Kasey Burlew or Sen Toda to report Sexual Harassment.



- In addition to the Title IX Coordinators, anyone within MCTI who has authority to institute corrective measures on behalf of the school including the Title IX Coordinators, any member of the Title IX Equity and Compliance Team, MCTI Administrators, Vocational Counselors, Instructors, Health Services, Dorm, Leisure and Maintenance staff are considered responsible employees/mandated reporters. As such, they are required to report to the Title IX Coordinator immediately if they become aware of or reasonably suspect any incidents of sexual misconduct. The report is submitted for the purpose of obtaining a prompt and equitable resolution.
- Employees designated as confidential resources including Health Services Counselors, Nurses and Therapist.

Response to Sexual Harassment Notifications

When MCTI learns that someone is alleged to be a victim of sexual harassment, MCTI will address as follows:

- Promptly contact the person to discuss supportive measures, whether that person decides to file a formal complaint, or not.
- Consider that person's wishes and will offer appropriate supportive measures under the circumstances.
- Explain to complainants that they have an option and process for filing a formal complaint and explain the process.
- Never pressure an individual into filing a formal complaint, or into participating in a grievance process.

Emergency Removals:

- MCTI can remove a respondent from MCTI's education programs or activities on an emergency basis if the respondent poses an immediate threat to anyone's physical health or safety.
- If the respondent is a school employee, the final regulations don't prevent a school from placing that employee on administrative leave during the investigation.

Mandatory and Discretionary Dismissal of Complaints:

MCTI must dismiss a complaint:

1. Describes conduct that does not meet the definition of sexual harassment
2. Alleges sex harassment that did not occur in MCTI's education program or activity
3. If the complainant notifies the Title IX Coordinator in writing that the complainant wishes to withdraw the formal complaint or some of its allegations
4. If the respondent is no longer enrolled or employed at MCTI
5. If specific circumstances prevent MCTI from gathering evidence sufficient to reach a determination about the allegations.

MCTI may still address these complaints under the Code of Conduct and other Misconduct policies even if they do not fall under Title IX.

If MCTI dismisses a formal complaint, or any allegations in it, MCTI will promptly send written notice of the dismissal and the reason to the parties.



Both parties will be notified of their right to appeal a dismissal decision.

Informal Resolution:

In many instances, advice or informal discussion may be useful in resolving concerns about allegations of discrimination prohibited by Title IX. Complainants who wish to resolve their concerns informally should bring them to the attention of the Title IX Coordinator. In working to resolve the matter, the Title IX Coordinator ordinarily will interview the complainant and, as appropriate, others who may have knowledge of the facts underlying the grievance. At any point, including while the informal process is ongoing or afterwards, the complainant may elect to end the informal process in favor of filing a formal grievance.

Informal resolution must be voluntary on the part of both parties. A written consent of informal resolution from both the complainant and respondent will be required.

While MCTI welcomes informal resolution of grievances when appropriate, it will not use mediation between a complainant and respondent or any other informal resolution mechanism to resolve grievances pertaining to non-consensual sexual contact.

The Title IX Coordinator welcomes an informal presentation of such allegations, and is available to address concerns through counseling, advice, and informal resolution, the Title IX Coordinator is fully prepared to receive and address such allegations through formal grievance procedures. While the Title IX Coordinator welcomes an informal presentation of such allegations, and is available to address concerns through counseling, advice, and informal resolution, the Title IX Coordinator is fully prepared to receive and address such allegations through formal grievance procedures.

Formal Complaints

- A formal complaint is an official document alleging sexual harassment.
- Is filed by the student or their parent or legal guardian in some cases.
- In cases where an alleged victim doesn't file a formal complaint, a Title IX Coordinator might initiate grievance procedures where discipline is appropriate

MCTI Title IX Grievance Process:

Once a decision has been determined to open an investigation that may lead to disciplinary action against a respondent, a written notice will be provided to the respondent stating the allegations constituting a potential violation of MCTI's sexual discrimination and harassment policy. The notice will include sufficient details to prepare a response prior to any initial interview including, but not limited to:

- a description of the prohibited conduct allegedly constituting the potential violation,
- MCTI's policy/specific section of the code of conduct allegedly violated,
- the date and the location of the incident,
- the identity of the individuals involved.

The respondent will be given at least 10 days to prepare for an initial interview. All parties involved in an investigation will be given at least 10 days to prepare for each interview throughout the



investigation and will receive written notice in advance of each interview.

Potential remedies and sanctions, which may be applied to the Complainant and/or the Respondent: Upon receipt of a report or concern, MCTI may impose reasonable and appropriate interim supportive measures, some of which could become permanent upon resolution of the complaint, to protect the parties involved.

MCTI will make reasonable efforts to communicate with the parties to ensure that all safety concerns, both emotional and physical well-being, are being addressed. Such measures may be imposed regardless of whether formal disciplinary action is sought by the complainant or MCTI and will be implemented at the discretion of MCTI.

Notice of Investigation:

Following the receipt and review of the formal complaint by the Title IX Coordinator, and it being determined that the matter properly falls under this Title IX Sexual Harassment policy, the parties will be informed in writing of the initiation of the investigation. The written information shall include:

- The identities of the parties, if known.
- A concise summary of the alleged conduct at issue (including when and where it occurred, if known).
- Notice of the allegations potentially constituting Title IX Sexual Harassment.
- A statement that the respondent is presumed not responsible and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement informing the parties that they may have an adviser of their choice, who may be, but is not required to be, an attorney.
- A statement informing the parties that they may request to inspect and review evidence.
- A statement informing the parties that knowingly making false statements or knowingly submitting false information during the grievance process may constitute a violation of university policy.
- Information regarding the applicable grievance procedures, including the informal resolution process.

If, during the investigation, additional information is disclosed that may also constitute prohibited conduct under this policy, the respondent and complainant will be informed in writing that such additional information will be included in the grievance process.

Collection of Evidence:

The investigators will collect information from each party. While the complainant and the respondent are not restricted from gathering and presenting relevant evidence, the investigators are responsible for gathering relevant evidence to the extent reasonably possible. However, each party will be given an equal opportunity to suggest witnesses; provide other relevant information, such as documents, communications, photographs, and other evidence; and suggest questions to be posed to the other party or witnesses. Parties and witnesses are expected to provide all available relevant evidence to the investigators during the investigation. If a party or witness fails to provide available relevant evidence during the investigation, such evidence may, at the discretion



of the Decision-Maker Hearing Panelist, be excluded from consideration at the hearing. While parties are not restricted from presenting information attesting to the parties' character, such evidence generally is not considered relevant.

The investigators will provide to a party written notice of the date, time, location, participants, and purpose of all investigative interviews to which they are invited or expected, with sufficient time (generally no less than three (3) business days, absent exigent circumstances) for the party to prepare to participate.

Parties will be interviewed separately and will be interviewed by the panel of investigators. The investigators will interview witnesses as necessary and may, at their discretion, delegate witness interviews to two investigators. The investigators will record all interviews or notes of the interviews will be taken by the investigators. Any other recording of interviews is prohibited, and violations may result in discipline.

In general, a party's medical and counseling records are confidential. The investigators will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the investigators obtain that party's voluntary, written consent to do so.

The investigators will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege (e.g., attorney-client, doctor-patient), unless the individual holding such privilege has waived the privilege.

Investigation Guidelines:

In the case of a formal grievance, MCTI will initiate an investigation. MCTI will designate an investigator of its choosing from the Equity and Compliance team who has participated in specific training related to investigating allegations of sexual discrimination and misconduct. MCTI will provide annual training for all investigators, and any investigator chosen to conduct the investigation will be impartial and free of any conflict of interest.

The investigator(s) will conduct the investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the complainant, the respondent, and any witnesses. Disclosure of facts to parties and witnesses shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. During the investigation and adjudication of the Title IX complaint, any prior relationship history of the complainant with anyone other than the alleged perpetrator will not be considered.

As part of the investigation, MCTI will provide an opportunity for the parties to present statements, witnesses, cross examination of witnesses (though parties will not be permitted to personally question or cross-examine each other), and other evidence. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. The investigation is designed to:



1. Be respectful of the needs and rights of individuals involved.
2. Proceed as promptly as possible per the time frame noted in this policy.
3. Permit a complainant and a respondent to have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures. Both parties shall also have similar and timely access to information used at hearings.
4. Include notifying the complainant of his/her right to proceed with a criminal investigation and a Title IX complaint simultaneously.
5. Be conducted in accordance with applicable due process standards and privacy laws.
6. Provide notice to both the complainant and respondent (through written letter or email) of the outcome in a timely manner, as permitted by applicable privacy law.
7. Be based on a preponderance of evidence standard.

Investigation Outcome:

During the investigation, the complainant and the respondent will be kept informed at regular intervals of the status of the investigation.

At the conclusion of the investigation, the investigator will prepare a written report which will be provided to the MCTI Director and Title IX Coordinator. At a minimum, the report will:

1. Detail the investigative steps taken by the investigator
2. Provide summaries of testimony for all witnesses interviewed.
3. Include copies of all documents reviewed.
4. Set forth the analysis of the investigator supporting the conclusions drawn.
5. If the complaint is substantiated by the investigation, provide recommendations (with support of legal counsel, as needed) as to the consequences and actions to be taken, which may involve sanctions up to and including termination and/or expulsion for the accused.

No student will have his/her educational status adversely affected as a result of making a complaint. Also, no employee will have his/her employment adversely affected as a result of making a complaint.

Adjudication Process:

MCTI is required to hold a live hearing and will adhere to the following guidelines established by the new Title IX Regulations:

1. The party's advisors must be allowed to cross-examine other parties and witnesses.
2. No party can ever be allowed to personally question or cross-examine anyone.
3. If any party request it, the entire hearing must be held with the parties located in separate rooms, with technology enabling everyone to see and hear each other.
4. Cross-examination will be utilized and simply means that a party's advisor asks questions that might challenge the other party's denials, or allegations.
5. Cross-examination questions must be relevant, and decision-makers must decide if a question is relevant before the party or witness has to answer it.



6. A complainant's privacy is protected by only allowing questions or evidence about prior sexual history in tow circumstances.
7. No party is EVER allowed to personally cross-examine anyone.
8. MCTI will provide a party with an advisor of the school's choosing free of charge, solely for the purpose of conducting cross-examination on that party's behalf. The selected advisor is not required to be a lawyer.
9. By hearing each party's version of events and hearing each party answer questions about their version of events, the neutral, unbiased decision-maker will reach a determination regarding responsibility. The decision maker will decide whether it meets the school's standard of evidence for sexual harassment allegations.

Determination will be noted in writing and will include the policy violated, procedural steps taken, findings of fact section, conclusion of the facts, statement and rationale, disciplinary sanctions imposed on the respondent and if remedies were provided to the complainant. Statement noting how remedies will restore or preserve equal access. Statement of the Right to appeal the initial determination regarding responsibility.

Participation in Hearings:

If a party or witness chooses not to appear at the live hearing, or not to answer cross-examination questions, the decision maker excludes that party's or witness statements and evaluates any evidence that doesn't involve those statements.

Recordings:

MCTI will create an audio, audiovisual recording, or transcript of any live hearing and will make it available to the parties for review.

Time Frame for Resolution:

MCTI seeks to resolve all reports within 60 days of the initial report. All time frames expressed in this policy are meant to be guidelines rather than rigid requirements. Extenuating circumstances may arise that require the extension of time frames, including extension beyond 60 days. Extenuating circumstances may include the complexity and scope of the allegations, the number of witnesses involved, the availability of the parties or witnesses, any intervening school break or vacation, or other unforeseen circumstances.

In general, a complainant and respondent can expect that the process will proceed according to the time frames provided in this policy. In the event that the investigation and resolution exceed this time frame, MCTI will notify all parties of the reason(s) for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

At the request of law enforcement, MCTI may agree to defer its fact-gathering until after the evidence gathering portion of a criminal investigation. MCTI will, nevertheless, communicate with the complainant and with the respondent as appropriate regarding Title IX rights, procedural options, and the implementation of interim measures to ensure safety and well-being. MCTI will promptly resume its fact-gathering as soon as law enforcement has completed its evidence



gathering.

Appeals

Either party may appeal the final outcome in writing to the appointed “Appeals Officer.” Both parties have equal opportunity to submit a written statement supporting or challenging the outcome. The appeal will be conducted in an impartial manner by the impartial Appeal Officer. The appeal must be filed in writing (which can include email) within five (5) business days of receiving the written decision makers outcome or from the Title IX Coordinator’s decision to not proceed with a formal grievance process.

Grounds for an Appeal:

1. A procedural irregularity affected the outcome of the matter
2. New evidence has been discovered that was not reasonably available at the time of the determination on responsibility or dismissal.
3. A conflict of interest on the part of a Title IX Coordinator, an investigator who compiled evidence, or a decision maker, and the conflict of interest affected the outcome

The appeal shall consist of a plain, concise, and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal.

Dissatisfaction with the outcome of the hearing is not grounds for appeal. The only grounds for appeal are:

- A procedural or substantive error occurred that significantly affected the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
- New evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction (a summary of this new evidence and its potential impact must be included).

The receipt of the appeal will be acknowledged in writing (which can include email). Each party will be given the opportunity to respond in writing to the other party’s appeal. Any response by the opposing party must be submitted to the designated Appeal Officer within five (5) business days from receipt of the appeal. The appeals documents from each party will be considered together in one appeal review process. In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. The designated Appeals Officer shall first consider whether the appeal was filed in a timely manner and, if so, whether the appeal is properly framed based on the two grounds. If the designated Appeals Officer determines that the appeal is not properly framed, the appeal will be denied.

Sanctions imposed are implemented immediately unless the Director of MCTI, or his designee, determine that implementation may not occur due to extraordinary circumstances, pending the outcome of the appeal.

The designated Appeals Officer will render a written decision on the appeal to the complainant and respondent within fifteen (15) business days from the date of the submission of all appeal documents by both parties. Appeal decisions are final.



In the event that the investigation and resolution exceed this time frame, or any of the other time frames included in this procedure, MCTI will notify all parties of the reason(s) for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

Retaliation:

Retaliation against any person or group who makes a complaint, cooperates with an investigation, or participates in a grievance procedure is a violation of MCTI policy. Retaliation should be reported promptly to the Title IX Coordinator, Equity and Compliance Team members or Administrators for investigation, which may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying allegations of discrimination and/or harassment.

At the conclusion of the investigation and after appropriate corrective action has been determined, the complainant and the respondent will simultaneously receive a written copy of the outcome of the investigation including general findings and corrective action that may be taken.

Conflicts of Interest:

These procedures will be administered in a manner that eliminates any conflict of interest (real or perceived) by individuals handling the procedures.

Anyone who feels there is any conflict of interest related to a Title IX proceeding should report the conflict to the Title IX Coordinator, Equity and Compliance Member or a MCTI Administrator if they feel the conflict of interest. The final decision as to whether to remove the individual is the prerogative of the Director of MCTI. When considering whether to remove an individual from the proceedings, the Director will consider:

- The nature of the relationship between the individual and the situation (or those involved)
- Whether that individual could be reasonably expected to render a fair and impartial analysis regardless of the relationship.

Drugs and Alcohol

MCTI compliance and provisions of the Drug-Free Schools and Communities Act and MCTI's Substance Abuse Policy applies to all members of the MCTI community faculty, staff, and students. The policy, student handbook, or Civil Service Rules (for staff) defines prohibited behavior and outlines consequences for violations.

MCTI is a drug/alcohol free campus and prohibits the possession, manufacturing, distribution or use of illicit drugs and alcohol by students on MCTI's campus or at any school sponsored events whether on campus or off campus. Alleged violations are investigated thoroughly, and disciplinary action can include suspension or termination of programming. In addition, students can expect to be arrested and prosecuted for unlawful possession, use or distribution of illicit drugs and alcohol on campus. In addition, MCTI staff have the right to have any student tested for drugs during the MCTI school day if there are observed inappropriate behaviors by MCTI staff and that MCTI staff person completes and Observed Rationale for Drug Screening Form.

Consistent with Michigan and federal law, MCTI maintains a workplace free from the



unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illicit drugs, and alcohol are prohibited on MCTI's campus. Pursuant to State of Michigan Work Rules governing employee discipline, any employee involved in the unlawful use, sale, manufacturing, dispensation, or possession of controlled substances, illicit drugs, or alcohol on MCTI premises, or working under the influence of such substances, will be subject to disciplinary actions up to and including dismissal or referral for prosecution.

The Law and MCTI Policies

To provide for the safety of MCTI community and the protection of MCTI Property, MCTI has set standards of conduct found in the Student Handbook. Detailed information can be found on-line at: [MCTI Student Handbook \(michigan.gov\)](http://michigan.gov)

MCTI's standards of conduct do not replace, or relieve, persons from obligations to comply with the requirements of civil or criminal laws. Unlawful behavior may result in criminal prosecution as well as MCTI disciplinary action.

Fire Safety Information and Statistics

In accordance with the Higher Education Opportunity Act of 2008, institutions with on-campus student housing facilities must publish annually a fire and safety report that provides information on campus fire and safety practices and standards. MCTI complies with this regulation by including all mandatory fire safety information as part of this annual report.

Lead Fire and Safety Officer is charged with all aspects of fire safety for MCTI except suppression of active fires. Prairieville Township utilizes a volunteer department to respond to fire emergencies. The Lead Fire and Safety Officer is tasked with monitoring compliance with fire codes, fire safety inspections and fire/arson investigations.

Fire and Safety Coordinator
Tom Miller
MillerT@michigan.gov
269-664-9560

MCTI's Fire and safety Department is committed to maintaining a safe and secure environment for students, faculty, and staff to live, work and study.



Fire Statistics and Fire Log

2021 - Fires-On Campus Student Housing Facilities

Facility	Street Address	# of Fires
MCTI Dormitory	11611 Pine Lake Rd, Plainwell, MI 49080	0
Pine Lake Apartments	11825 Pine Lake Rd, Plainwell, MI 49080	0

2020- Fires-On Campus Student Housing Facilities

Facility	Street Address	# of Fires
MCTI Dormitory	11611 Pine Lake Rd, Plainwell, MI 49080	0
Pine Lake Apartments	11825 Pine Lake Rd, Plainwell, MI 49080	0

2019 - Fires-On Campus Student Housing Facilities

Facility	Street Address	# of Fires
MCTI Dormitory	11611 Pine Lake Rd, Plainwell, MI 49080	0
Pine Lake Apartments	11825 Pine Lake Rd, Plainwell, MI 49080	0