



## 2006 Annual Security Report

Policies and Procedures



Submitted by the Lawrence Technological University  
Southfield, MI 48075  
Department of Campus Safety  
Division of Finance and Administration  
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## Statement of Procedures & Information

### Lawrence Technological University (LTU) Policy on Campus Safety and Security

In order to comply with the Jeanne Clery Disclosure of Campus Safety and Security Policy Act, also known as the “Clery Act,” LTU publishes this Annual Security Report. The report’s intended purpose is to make the University community aware of LTU’s policies concerning its response to reports of crime and to provide crime statistics for events occurring on campus, in residence halls, University owned buildings, public property surrounding University property and on property adjoining the campus. The University community is defined as students, staff, faculty, vendors on campus and other parties that may frequent the campus or have an interest therein.

## Policy Concerning Timely Warnings

In the event that a situation arises on or near the campus that, in the judgment of the senior most member of the University’s administration on campus at the time or who may be reached by telephone constitutes, is an on going or continuing threat, a campus wide “timely warning” will be issued through a combination of e-mails, *e-tech news* bulletins, personal notice, meetings, flyers or other such methods as deemed expedient.

## Policy for Reporting the Annual Disclosure of Crime Statistics

The Lawrence Technological University Department of Campus Safety collects information with respect to campus crime statistics and campus security policies. The Department Of Campus Safety will prepare, publish and distribute an annual safety security report containing information on campus crime statistics and campus security policies.

The Department of Campus Safety will submit to the Secretary of Education a copy of the crime statistics as the Clery Act requires.

## Policy Concerning the Reporting of Criminal Offenses

The University community may report crimes at the following places:

1. **Campus Safety:** The Department of Campus Safety is open and operating 24 hours per day, 365 days per year—we never close. To contact Campus Safety on the University phone system: press \*911 (press the star button then 911) for emergencies. You may also call Safety Central at extension 3945 or direct dial to 248-204-3945. The Department of Campus Safety is physically located on campus in the Corporate Services Complex at the north end of campus at the corner of Civic Center Drive and the southbound Northwestern Highway Service Drive. The building is open 24 hours per day and reports may be made in person. The Department of Campus Safety’s address is 21000 West Ten Mile Road, Southfield, MI 48075
2. **Southfield Police Department.** Using a non-University system telephone, press 911 for emergencies or press 248-796-5500 for non-emergencies. If you are using a cell phone and you dial 911 you will be routed to the Oakland County Sheriff’s Office. Request they transfer you to the Southfield Police. The Southfield Police Department is located 2/10 of a mile east of the north end of campus at the junction of Civic Center and Evergreen Roads. The Southfield Police Department’s address is 26000 Evergreen Road Southfield, MI 48037.
3. **Office of the Dean of Students.** Using the University phone system, call extension 4100. Using a non-University phone system telephone you may also reach the office at 248-204-4100. The Dean of Students Office is physically located in the Taubman Student Services Center suite C405.
4. **University Psychologist.** Using the University phone system. call extension 4118. Using a non-University phone system telephone you may also reach the office at 248-204-4118. The University Psychologist’s office is physically located in the Taubman Student Services Center suite C405.

5. **University Counselor.** Using the University phone system, call extension 4116. Using a non-University phone system telephone you may also reach the office at 248-204-4116. The University Counselor's office is physically located in the Taubman Student Services Center suite C405.
6. **Director of Residence Life.** Using the University phone system, call extension 3940. Using a non-University phone system telephone you may also reach the office at 248-204-3940. The University Director's office is physically located in University Housing South room 112.
7. **Residence Hall Coordinator University Housing North.** Using the University phone system, call extension 7013. Using a non-University phone system telephone you may also reach the office at 248-204-7013. The Coordinator's office is physically located on the first floor.
8. **Residence Hall Coordinator University Housing South.** Using the University phone system, call extension 3942. Using a non-University phone system telephone you may also reach the office at 248-204-3942. The Coordinator's office is physically located on the first floor.
9. **LTU Office of Human Resources.** Using the University phone system, call extension 2151. Using a non-University phone system telephone you may also reach the office at 248-204-2151. The Human Resource's office is physically located in the Engineering building, suite E109.

#### Policy Concerning Voluntary Confidential Reporting

If you are a victim of crime and do not want to pursue action within the University' Student Code of Conduct Judiciary system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a report may be filed with the Director of the Department of Campus Safety without revealing your name. The purpose of filing the report is to help ensure the future safety of others. The report is also used to keep accurate records of crimes.

#### Policy Concerning Limited Confidential Reporting

Reports to the Southfield Police are a matter of public record and hence cannot be held in confidence.

Reports to the Department of Campus Safety are subject to the Family Educational Rights and Privacy Act (FERPA), which in part protects certain student educational records. These records are, however, subject to subpoena. LTU cannot guarantee that these reports or records will not be subpoenaed and made public as a result or function of law.

#### Policy Concerning Security and Access

LTU is a private not for profit university. As such, all persons on campus other than students, staff, faculty and administration, are invitees of the University. The University, under "Public Welfare and Safety Regulations," may question and expel anyone on LTU property with or without specific purpose. Those who refuse to leave University property are subject to the City of Southfield Trespass Ordinance. Public Welfare and Safety Regulations may be found later in this report and on page 54 of the current Student Handbook.

Persons having business with the University may have access to the academic and administrative buildings during normal business hours. The buildings are secured according to its particular closing time. A Dean may grant extended hours after the building's closing time at his/her discretion. Campus Facilities and the Department of Campus Safety perform routine safety checks for maintenance items that could affect the buildings security integrity. The Southfield Fire Department performs yearly inspections in all of the University's buildings.

Both Residence Halls are secured 24 hours per day. Authorized persons and residents may access the buildings by use of magnetic access cards or keys. Guests are subject to the residence hall regulations regarding guests in the residence halls. Those regulations titled "Guidelines for University Living" may be obtained at the Dean of Student's Office, the Office of University Housing and at both Residence Halls. Campus Facilities, the Residence Hall Coordinators and the Department of Campus Safety perform routine safety checks for maintenance items that could

affect the buildings security integrity. The Southfield Fire Department performs yearly inspections of the Residence Halls.

Department of Campus Safety's Authority and Jurisdiction: The LTU Department of Campus Safety's Director, Assistant Director, Campus Safety Sergeants and Campus Safety Officers are not sworn police or public safety officers as determined by the laws of the State of Michigan. As such members of the department have no greater arrest powers than those of an average citizen.

The LTU campus falls under the jurisdiction of the Southfield Police Department and other state and federal agencies depending on the offense and for situations requiring a police response.

The LTU Department of Campus Safety's staff is charged with enforcing University regulations, providing assistance, crime prevention, crime reporting, protection of assets, protection from and mitigation of liabilities, keeping good order and enforcement of parking through the 46<sup>th</sup> District Court for infractions of handicap and fire lane statues.

### Public Welfare and Safety Regulations

In the interest of public safety and to help maintain a safe and secure campus environment, the Campus Safety Department, in conjunction with the Office of the Dean of Students, when applicable, may enforce alleged violations of the following regulations. Alleged violations are enforced through the issuance of a University Violation Notice, which generates either a Student Code of Conduct referral to the Dean of Students office or the placement of a fine on a student's account depending on the type of violation. Minor violations of regulations such as improper parking, littering, holding overdue library books, etc., may result in fines, which, if not paid, can result in the University's refusal to release grades, transcripts, or permits to register. The process for appealing University Violation Notices for non-Student Code of Conduct violations is indicated below.

Campus Safety Officers and University officials, in the interest of public safety or in conjunction with an alleged violation of University regulations, may request from anyone on University property to see suitable identification and to inquire as to what their purpose is for being on University property. Those parties so requested are required to produce identification and state an acceptable reason for being on University property.

The University reserves the right to ban access to University property to anyone, with or without specific reasons to do so. Campus Safety Officers and University officials, in the interest of public safety, may direct persons to immediately leave University property.

Guests, visitors and others who fail/refuse to produce suitable identification will be immediately escorted from University property and told not to return without suitable identification. They must also have a specific invitation to return to University property from a LTU host who is responsible for the guests or visitors compliance to University regulations.

Students are required to have their LTU identification card on them at all times when on University property. Failing an LTU identification card, the student must produce some form of suitable picture identification when requested to do so by a Campus Safety Officer or University official, otherwise the student must immediately leave University property. Failure or refusal to produce an LTU identification card will result in a University Violation Notice.

Students who can otherwise be identified or confirmed as a student who fails/refuses to produce suitable identification will receive a University Violation Notice.

Students who fail/refuse to heed the directions of a Campus Safety Officer or University official will receive a University Violation Notice.

Student hosts whose guests or visitors fail/refuse to produce identification or to heed directions from a Campus Safety Officer or University official will receive a University Violation Notice relating to their guest's or visitor's behavior.

Those persons who cannot be identified as a student and who fail/refuse to produce suitable identification and fail/refuse to be immediately escorted off the property and are subject to the City of Southfield trespass ordinance. In this case, the perpetrator will be told not to return to University property and will be escorted off University property by the Southfield Police.

Students who fail/refuse to obey fire/tornado drills or actual alerts on University property will be referred to the Dean of Students Office for consideration of a Student Code of Conduct violation.

Students, guests or visitors who remain in University buildings after the building is closed and without specific permission to do so may receive a University Violation Notice.

Students, guests or visitors who litter on University property may receive a University Violation Notice.

**Multiple Violations**

Any students receiving more than four (4) violation notices during an academic year are subject to University sanctions as outlined in the Student Code of Conduct.

**Appeals of University Violation Notices of Public Welfare and Safety Regulations**

Any person receiving a University Violation Notice for non-Student Code of Conduct violations has the right to appeal. The appellant shall have fifteen (15) calendar days to request an appeal of the violation notice, after such time all appeal rights are terminated. Please contact the Campus Safety Department within fifteen (15) calendar days at 248-204-3945 Monday through Friday between 7:30 AM and 2:30 PM to file an appeal for an LTU Violation Notice.

**Fines for Public Welfare and Safety Regulations**

After the 15 calendar day appeal period, the Campus Safety Department will enter the fine onto the student's account without any additional notice to the student. The yellow copy of the University Violation Notice serves as notice of pending fines. If a student believes that fines were placed in error or has questions about fines placed on the student's account, please contact the Campus Safety Department Monday through Friday between 7:30 AM and 2:30 PM, 248-204-3945. Business Services will be unable to answer questions regarding violation fines. These fines are in addition to any other fines or sanctions imposed by any court of jurisdiction.

**BANNER** uses the following codes to correspond to University Violation Notices:

<b>Code</b>	<b>Description</b>	<b>Fine</b>
<b>P006</b>	Alcohol, controlled substance violations	*
<b>P007</b>	Littering	\$ 25.00
<b>P008</b>	Fire/Tornado drill or alert	*
<b>P009</b>	Extended access/remaining in a closing building	\$100.00
<b>P0010</b>	Failure to comply with the direction of a University Official or Campus Safety Officer	\$100.00
<b>P0010</b>	Violation of any other University regulation	\$ 25.00 to \$100.00

\*Alcohol, controlled substance violations and disregarding a fire or tornado drill or alert, are referred to the Dean of Students Office for consideration of a Student Code of Conduct Violation(s).

**Payment of University Fines**

1. All payments must be made at the University Student Accounts Services office. No other University department may accept payment.
2. Outstanding fines are considered as balance due items and non-timely payment may result in late charges.
3. Students may not register for additional semesters, and transcripts are not released until balances are cleared.

### General Procedures for Reporting a Crime or Emergency

LTU Campus Safety Officers will respond to the scene of any sort of incident that occurs on campus. Incident Reports and Witness Statements are produced as documentation of an incident or event. Persons who are involved or are part of a police investigation may receive a copy of these reports. The Director or Assistant Director of Campus Safety in conjunction with the Registrar and Dean of Students will consider requests to view Incident Reports from persons not involved in the incident.

The Southfield Police Department will respond when incidents rise to the level that police interaction or intervention is required or prudent.

The University community may report crimes at the following places:

1. **Campus Safety:** The Department of Campus Safety is open and operating 24 hours per day, 365 days per year—we never close. To contact Campus Safety on the University phone system: press \*911 (press the star button then 911) for emergencies. You may also call Safety Central at extension 3945 or direct dial to 248-204-3945. The Department of Campus Safety is physically located on campus in the Corporate Services Complex at the north end of campus at the corner of Civic Center Drive and the southbound Northwestern Highway Service Drive. The building is open 24 hours per day and reports may be made in person. The Department of Campus Safety's address is 2100 West Ten Mile Road, Southfield, MI 48075
2. **The Southfield Police Department.** Using a non-University system telephone press 911 for emergencies or dial 248-796-5500 for non-emergencies. If you are using a cell phone and you dial 911 you will be routed to the Oakland County Sheriff's Office, request they transfer you to the Southfield Police. The Southfield Police Department is located 2/10 of a mile east of north end of campus at the junction of Civic Center and Evergreen Roads. The Southfield Police Department's address is 26000 Evergreen Road Southfield, MI 48037

### Policy Concerning Professional Counselors and Pastoral Counselors Reporting of Crimes

Professional and pastoral counselors reporting responsibilities are determined by prevailing Michigan law. Those seeking counseling from the LTU Counseling staff or pastoral counselors should ask the counselor to review their reporting requirements under Michigan law and licensure requirements.

### Policy Concerning Security Awareness Programs

The LTU Department of Campus Safety provides written and lecture driven safety programs for the University community. Twice per year the Director of Campus Safety addresses the student government and staff senate with safety updates and programs available from a number of government agencies as well as the department.

### Policy Concerning Crime Prevention Programs

The LTU Department of Campus Safety is a member of the Crime Prevention Association of Michigan, Southfield Police Department's PRIDE program, Michigan Auto Theft Investigators Association and the Michigan and International Association of Campus Law Enforcement Administrators. Each of these organizations provides information and training used in the production and presentation of the crime prevention program. Lectures are given at student and parent orientation, groups requesting information and lectures as well as Residence Life programs and sexual assault programs developed by the University Counseling staff.

### Policy Concerning Non-Monitoring of Criminal Activity Off Campus

LTU Division of Student Affairs has jurisdiction over activities related to fraternities and sororities on and off campus. The Division does not have a program designed to provide constant monitoring of off-campus activity. The Division will take notice and may act if presented with information regarding off campus activity that involve the University.

### Policy Addressing Alcoholic Beverages

LTU's policy is as set out below which was excerpted from the LTU Student Handbook.

### **Alcohol Policy**

Lawrence Technological University prohibits the use of alcohol when its use is inconsistent with state, local, or University regulations. It is the goal of the University to establish and sustain an environment on campus that is conducive to the intellectual, emotional, and social growth of all the members of its community. Lawrence Technological University has established the following policy governing the possession, sale, and consumption of alcoholic beverages on the University's campus. It is the University's goal through these policies and programs to encourage members of its community to make responsible decisions and to promote safe, legal, and healthy patterns of social interaction.

The University shall implement and enforce the laws of the state of Michigan as stated in the Michigan Liquor Control Code of 1998 as amended. It is the responsibility of each student, staff, and faculty member to familiarize himself or herself with the appropriate sections of the code and the provisions of this policy and to conduct one's self in a responsible manner.

The Michigan Liquor Control Code includes the following statements:

1. A person who has not reached the age of 21 years shall not possess any alcoholic beverage for the purpose of personal consumption.
2. A person shall not sell or give any alcoholic beverage to any person who has not reached the age of 21 years.

While persons of legal age, under the laws of Michigan, may consume alcoholic beverages, students are subject to disciplinary action for the possession or consumption of alcoholic beverages in public areas or for drunken or irresponsible behavior resulting therefrom. Lawrence Tech defines public areas as areas that are readily accessible to students, faculty, staff, and guests on the campus. Examples of spaces considered public are lobbies, lounges, recreational areas, classrooms, building corridors, offices, and campus grounds.

The University permits alcoholic beverages on campus as part of the operation of licensed University facilities and for some social events. The University deplores the misuse and abuse of alcohol. Alcohol consumption will not be considered an excuse for misconduct. Violation of University policies may result in disciplinary action. In addition, such matters may be reported by the University to appropriate law enforcement authorities. Violators will be subject to penalties, which may include separation from the University or mandatory referral for treatment.

At events at which alcohol is served and in University facilities in which it is served, operators and event sponsors are responsible for complying with the laws of the state of Michigan, ordinances of the city of Southfield, and all policies of Lawrence Technological University. The executive vice president and provost, through the dean of students or designee, is responsible for administering the University alcohol policy. The Lawrence Tech Student Handbook.

The executive vice president and provost or dean of students or designee will approve in advance all events in licensed facilities or events held on or in unlicensed University premises at which alcohol is served and, if deemed necessary, impose additional conditions and restrictions on a sponsoring organization and on events. The sponsoring organization should be prepared to provide in writing information pertaining to the purpose of the activity, number of participants, location, and whether the activity is public or private.

#### **A. Procedures for Specific Facilities**

Policies and procedures for specific University facilities may be in place. Such facilities include but are not limited to residence halls, Dining Services facilities, Continuing Education facilities, and the University Technology and Learning Center. Such policies must be consistent with University policy.

#### **B. Events Held on Campus**

The use of alcohol at events held on the Lawrence Technological University campus is governed by the following regulations:

1. The sponsoring organization, department, or approved user of facilities will oversee adherence to the alcohol policy, assume responsibility for the event, and control and supervise the distribution of alcoholic beverages in accordance with all applicable laws, rules, and policies.
2. Campus Safety officers must regularly patrol the location of an event where alcohol is served unless this duty is determined by the Director of Campus Safety to be unnecessary.
3. No one under the age of 21 is permitted to possess, serve, or consume any alcoholic beverages. At any event where alcoholic beverages are served and/or sold, approval for the event will be based upon the age of the event participants as well as the nature of the event. For example, an event at which the majority of participants are under the age of 21 will not have alcoholic beverages available for consumption. However, a designated, physically defined, monitored area may be utilized for those of legal age if approved in advance.
4. All sale/use of alcoholic beverages on University property will be monitored by and subject to inspection by University officials.
5. No person will possess or be served alcoholic beverages without proof of legal age. Persons responsible for the sale of alcohol at permitted events must be of legal age to sell.
6. Events where alcoholic beverages are used, served, and/or sold shall not have alcohol or the consumption of alcohol as the theme. No element of an event where alcohol will be used, served, and/or sold shall encourage, in any manner, the consumption of alcohol.
7. Use of alcoholic beverages must not be detrimental to the environment or to health and safety.
8. No servers of alcohol may be permitted to consume alcoholic beverages while serving nor shall they be permitted to serve while intoxicated. Intoxicated people will not be served nor permitted to possess alcoholic beverages.
9. At all events where alcohol is used, served, and/or sold, non-alcoholic beverages and unsalted foods must be made available in quantity sufficient for the number of guests. All food should be visible and available.
10. Alcoholic beverages are not permitted to be sold or used prior to noon. For an event lasting three hours or more, sale or service must stop 45 minutes prior to the end of the event.
11. Under no circumstances may any alcoholic beverage be permitted to leave the approved area of the event. No alcoholic beverages may be brought into the event by an individual when alcoholic beverages are being served and/or sold by event organizers.
12. Outdoor Events: In addition to the above, the following will hold for outdoor events:
  - a. The area in which the outdoor event is held must be defined by physical barriers (e.g., snow fence).
  - b. Bottles, cans, kegs, etc., may not be brought into the event area and/or alcohol serving area.
  - c. The sale of alcoholic beverages or tickets for alcoholic beverages must end no less than 60 minutes before the end of the outdoor event. If tickets are sold, the redemption of tickets and distribution of such beverages must end no less than 45 minutes before the scheduled end of the outdoor event.
13. Student organizations considering sponsoring events at which alcohol is sold must, before taking action, consult with the appropriate administrative offices (Dean of Students, University Housing, Student Activities, Campus Facilities) and abide by the relevant administrative decisions and University regulations. Alcohol/punch-type parties (e.g., hairy buffaloes, drinks made with Everclear) beer bongs, and party bongs are prohibited. All required University permits and event fonnns must be submitted to appropriate University officials no later than 10 days before the event.

### **Policy Concerning Illegal Drugs, Controlled Substances**

The University policy on possession of illegal drugs and controlled substances is as shown below which was excerpted from the LTU Student Handbook.

#### **Drug Policy**

Involvement in the illegal possession, use, sale, or sharing of drugs, or misconduct resulting therefrom is an offense subject to disciplinary sanctions up to and including expulsion from the University. The University may prohibit the

use or possession of any drugs on the campus. The University expects all students to obey the law established and enforced by municipal, state, and federal agencies.

### Policy Concerning Substance Abuse Treatment and Education

The LTU Counseling staff provides counseling and referral services to students that are seeking voluntary or mandated substance abuse counseling. The counseling staff may be reached as shown below.

1. For Students—University Psychologist. Using the University phone system call extension 4118. Using a non-University phone system telephone you may also reach the office at 248-204-4118. The University Psychologist's office is physically located in the Taubman Student Services Center suite C405.
2. For Students—University Counselor. Using the University phone system call extension 4116. Using a non-University phone system telephone you may also reach the office at 248-204-4116. The University Counselor's office is physically located in the Taubman Student Services Center suite C405.
3. In cases of after hour emergencies for students the Residence Life staff has an "On Call" person designated 24 hours per day. Members of the University community requiring after hours, emergency counseling are directed to call the Department of Campus Safety at 248-204-3945.
4. For Employees—Employee Assistance program. Faculty and staff members may avail themselves of this program. The program provides confidential counseling from third party specialists. LTU does not obtain information as to the enrollment in the program or the information discussed in counseling. In cases where faculty or staff members are required to attend counseling as a result of a disciplinary matter, the administrators of the program will only notify LTU Human Resources to confirm or deny that that party had attended the required counseling. Those persons seeking counseling under this program are advised to call LTU Human Resources at 248-204-4151.

### Policy Concerning Sex Offenses and Sex Offenders

The LTU Counseling staff presents educational programs and lectures from experts on rape awareness, acquaintance or date rape and other forcible and non-forcible sex offenses.

In the event of a sexual assault on campus and provided the victim desires to make a report, victims or those assisting the victim should as soon as is practical, preferably immediately after the assault, contact the Department of Campus Safety at 248-204-3945 or using a University phone system phone call \*911 (star 911).

The Department of Campus Safety will contact the Residence Life "On Call" staff member to respond to campus and the Southfield Police Department.

Sexual assault is an extremely serious crime. Victims and those assisting victims should be aware that criminal charges will most likely be filed against the alleged perpetrator. Preservation of evidence is critical to the successful prosecution of a sexual assault. It is strongly recommended that victim does not shower or change clothes after the assault. The location of the crime or crime scene should also be preserved.

The "On Call" staff member will contact the University Counseling staff. The University Counseling staff may refer the victim to a sexual assault counseling center for immediate treatment.

For off campus sexual assaults and provided the victim desires to make a report, victims or those assisting the victim should as soon as is practical preferably immediately after the assault contact the Department of Campus Safety at 248-204-3945 or using a University phone system phone call \*911 (star 911).

The Department of Campus Safety will contact the Residence Life "On Call" staff member to respond. Victims are encouraged to contact the police agency of jurisdiction where the assault took place.

The University recognizes that victims may desire a living or academic change as a result of an assault. The Dean of Student's Office will work with the victim to reach a mutually agreeable change of living or academic circumstances.

Alleged sexual offenders who are students are subject to in addition to any criminal or civil proceedings, a Student Code of Conduct Violation. Alleged offenders are afforded due process under the Student Code of Conduct. A copy of the Student Code of Conduct may be obtained at the Office of the Dean of Students. Using the University phone system call extension 4100. Using a non-University phone system telephone you may also reach the office at 248-204-4100. The Dean of Students Office is physically located in the Taubman Student Services Center suite C405.

### Policy Concerning Notice to the University Community Regarding Sex Offenders

Members of the University may inquire about convicted sex offenders through the Michigan State Police web site: <http://www.michigan.gov/misp/> click on "Sex Offender Registry". Or the U.S. Department of Justice's national sex offender web site at <http://www.nsopr.gov/>

Sexual Offender Registration. The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies (in Michigan, it is the Michigan State Police) to provide the Southfield Police Department with a list of registered sex offenders who have indicated that they are either enrolled, employed or carrying on a vocation at LTU.

The Southfield Police Department may be contacted by dialing 248-796-5500. The Southfield Police Department is located 2/10 of a mile east of the north end of campus at the junction of Civic Center and Evergreen Roads. The Southfield Police Department's address is 26000 Evergreen Road Southfield, MI 48037.

### Sexual Harassment Policy

It is the policy of Lawrence Technological University to maintain an environment free of sexual harassment for students, faculty, staff, or any other constituency. Sexual harassment is contrary to the standards of the University community. It diminishes individual dignity and impedes equal employment, educational opportunities, and equal access to freedom of academic inquiry. It will not be tolerated at Lawrence Technological University.

#### What Is Sexual Harassment?

Harassment on the basis of sex is a violation of the Elliott-Larsen Civil Rights Act; Michigan Civil Service Commission Rules; the Office of Federal Contract Compliance regulations; and Title VII of the Civil Rights Act of 1964. According to guidelines issued by the Equal Employment Opportunity Commission in 1980, "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, even between people of the same sex, constitutes sexual harassment when:

1. Submission to such conduct or communication is made either explicitly or implicitly a term or condition of an individual's employment, education, or participation in a University activity; or
2. Submission to, or rejection of, such conduct or communication by an individual is used as the basis for decisions affecting an individual's employment, education, or participation in a University activity; or
3. Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's work or educational performance or of creating an intimidating, hostile, or offensive employment or education environment.

Sexual harassment can also exist when there has been no tangible job detriment (i.e., a significant change in employment status, such as hiring, firing, etc.). Courteous, respectful, pleasant, non-coercive mutual interactions between employees are not considered sexual harassment.

Personal (i.e., intimate) relationships that occur between persons who are in a supervisory – subordinate work relationship must be reported to the next level of management. In such situations, the department will take

appropriate action. (According to the United States Supreme Court in *Oncale v. Sundowner Offshore Services, Inc.*, No. 96–569, 1998.) Although these guidelines, based on Title VII, apply specifically to sexual harassment in the workplace, they should be interpreted to apply to students as well under Title IX of the 1972 Education Amendments. As has been pointed out by the National Advisory Council on Women's Educational Programs (NACWEP), there is a serious problem "of harassment by gatekeepers—those who teach required courses or who have the authority to make critical decisions about a student's advancement. The extraordinary importance of such positions lends an exceptional degree of significance to every interaction with students, and makes sexual harassment of all types particularly harmful."

### Common Types of Harassment

The NACWEP describes five classifications of harassment commonly reported by students and working women.

1. Generalized sexist remarks or behavior (e.g., "This is a man's job," "That's women's work," "Women/men are incompetent at/are better suited to..."). Leering or staring, crude sexual remarks, off-color jokes, suggestive stories, and other related behaviors are also grouped in this category. "This type of behavior is close to racial harassment in appearance; the sentiments or actions involved are often fiercely anti-male or anti-female and are not intended to lead to sexual activity. They are directed to the (individual) because of gender and can often affect whole classrooms; the offense may be 'generalized' both by its nature and its audience. There can be an inherent sexual content in or underlying such remarks that establishes a tone which in its awkwardness is more damaging than many overt acts." (Frank J. Till, "Sexual Harassment: A Report on the Sexual Harassment of Students, the National Advisory Council on Women's Educational Programs, August 1980." Reprinted from *Sexual Harassment: Definition and Prevention*, State University of New York at Binghamton, 1988. Reprinted with permission.)
2. Inappropriate and offensive sexual advances (e.g., requests for social or sexual encounters, often accompanied by touching). This type of harassment, while not necessarily threatening, usually makes the recipient uncomfortable. This discomfort may cause the recipient to avoid the perpetrator in the future, thus limiting his or her ability to function properly in the academic environment. Discomfort due to harassment will, almost certainly, affect future professional and personal relationships.
3. Solicitation of sexual activity or other sex-related behavior by the promise of rewards (e.g., grades, promotions, promises of greater opportunities, etc.) "This category, in its extreme, literally amounts to an attempt to purchase sexual behavior. In its more blatant forms this type of behavior can be prosecuted as a criminal act ... even 'banter' along this vein may cause harm. Students may be mystified and confused by the interaction due to the power of the initiator. This is especially the case where the student propositioned is young or naive, and may fail to fully grasp the significance of the request." (Till, "Sexual Harassment," 16)
4. Coercion of sexual activity by threat of punishment (e.g., refusal to comply, failure, loss of job or promotion, or access to academic referrals). "What is at stake is often more than one grade or a single recommendation – too frequently it is access to a discipline and so a career is jeopardized." (Till, "Sexual Harassment," 17)
5. Sexual crimes and misdemeanors (e.g., criminal sexual assault [rape, indecent exposure, etc.] across authority lines [faculty/student or employer/employee] or among colleagues and peers. "This category refers to acts which, if reported to police authorities, would be considered crimes or misdemeanors." (Till, "Sexual Harassment," 22)

### Preventing Sexual Harassment

Although the ultimate burden for prevention of harassment rests with those in supervisory positions, others should be aware that their actions may be construed as harassment. Following are some suggestions to supervisors, staff, faculty, and students for preventing sexual harassment, regardless of who is the perpetrator and who is the recipient.

- Avoid sexist remarks, off-color stories, or lewd jokes.
- Keep doors open when possible.
- Ask someone to accompany you if you suspect that you may be harassed.
- Make it plain that your intentions are not sexual in nature.

- Make clear, through your behavior, conversation, and actions, that you find sexual harassment offensive and inappropriate.

### Combating Sexual Harassment

Employees, students, or faculty who feel they are experiencing this form of discrimination should:

1. *Say No Clearly.* Inform the harasser that his or her attentions are unwanted. If the behavior persists, write a memo to the harasser asking him or her to stop; keep a copy.
2. *Document the Harassment.* Record the date, time, and place of each incident. Keep a copy of this record at home.
3. *Get Emotional Support.* Talk to your family and friends.
4. *Document Work Evaluations.* Keep copies of performance evaluations and memos that attest to the quality of your work.
5. *Identify Witnesses/Other Victims.* You are probably not the first person who has been mistreated by this individual. Ask around; you may find others who will support your charge. (Sexual Harassment: What Every Working Woman Needs to Know, <http://www.cs.utk.edu/bartley/other/pt05.html>).

The least effective way to deal with sexual harassment is to ignore it. Unless the recipient of unwanted sexual attention takes some kind of action (whether formal or informal), the harasser is very likely to continue or even escalate the harassing behavior.

The following suggestions for combating sexual harassment reflect a variety of options, ranging from informal methods to formal procedures.

#### Confidential Counseling

Students may obtain information about or assistance with sexual harassment issues from the Office of the Dean of Students. Staff, faculty, and administrators should seek help from the Office of Human Resources. University representatives can advise and support complainants and witnesses in a confidential setting. The complainant, alleged harasser, and any witness shall be informed that all records of complaints, statements, interviews, contents of meetings, results of investigations, and any other relevant materials will be kept confidential by the employer, except where disclosure is required by a grievance process or pursuant to a legal action.

Unless otherwise authorized by law, disclosure or publication by any person of the complaint, the facts, or the identity of involved parties or witnesses is prohibited and subject to disciplinary action. Discussions with representatives of the abovementioned offices will not be considered official reports to the University and will not, without additional action by the complainant, result in intervention or corrective action. When intervention and discipline result against the alleged harasser, appropriate reference will be made in his or her file to protect the privacy of the complainant and witnesses.

#### Informal Resolution Process

At the complainant's option, a sexual harassment report or complaint will be taken from staff by the Office of Human Resources and from students by the Office of the Dean of Students or any dean, director, department head, the director of residence life, and/or their designees. Each College or other University organization will designate both men and women to receive complaints.

The person who receives a sexual harassment report or complaint will advise the person who makes the complaint about the informal and formal resolution alternatives available. At the complainant's option, the person receiving the complaint can: provide information about sexual harassment; help the complainant deal directly with the alleged offender; assist with or mediate a resolution of the problem within the complainant's unit; and/or help the complainant prepare a written complaint and pursue formal action.

Informal resolution measures should address the particular circumstances. No action will be taken against the alleged offender if the resolution is kept informal. Any discussion with the accused individual should, unless the executive vice

president and provost or Director of Human Resources specifically decide otherwise, include the supervisor of accused staff, faculty, or administrator. Any discussion with an accused student will include a member of the Division of Student Affairs and the student's department chair.

### **Formal Resolution Process**

Either subsequent to or instead of following the informal process, a complainant may elect to make a formal charge of sexual harassment. The University will investigate all formal charges of sexual harassment and take appropriate actions pursuant to the results of the findings.

There are several mechanisms available to pursue a formal charge, and their availability depends on the status of the complainant:

1. A student should notify the Office of the Dean of Students. If this is not possible, then the student may contact the offices of the President or Provost.
2. A member of the staff, faculty, or administration may notify his or her supervisor, a department head or dean, or the offices of the President or Provost, the Office of Human Resources, or the Office of the Dean of Students. A student-employee may also notify any of these.
3. Contract employees should follow the same procedure followed by staff, faculty, and administrators.

Call the Office of Civil Rights at 216.522.4970 to make a sexual harassment complaint. Report all incidents of criminal sexual assault to the Department of Campus Safety at 248.204.3945 or the Southfield Police Department at 248.796.5500.

### **Counseling Can Help**

Sexual harassment undermines the confidence of a student or employee and adversely affects his/her attitude and job or academic performance. All students and employees may talk, confidentially, to trained counselors in the Division of Student Affairs if they believe they have been sexually harassed.

Counselors can be an immediate source of help by: encouraging the victim to report the incident(s); acting as a liaison between the victim and management; helping the victim readjust to the work or school environment; and helping the victim regain confidence. (Reprinted from *Where Do You Draw the Line? Sexual Harassment in the Workplace*, American Counseling Association; reprinted with permission. No further reproduction authorized without written permission of American Counseling Association.)

Counselors can also help management develop a proactive approach in dealing with sexual harassment issues by incorporating discussions on the topic during workshops, seminars, and/or training sessions.