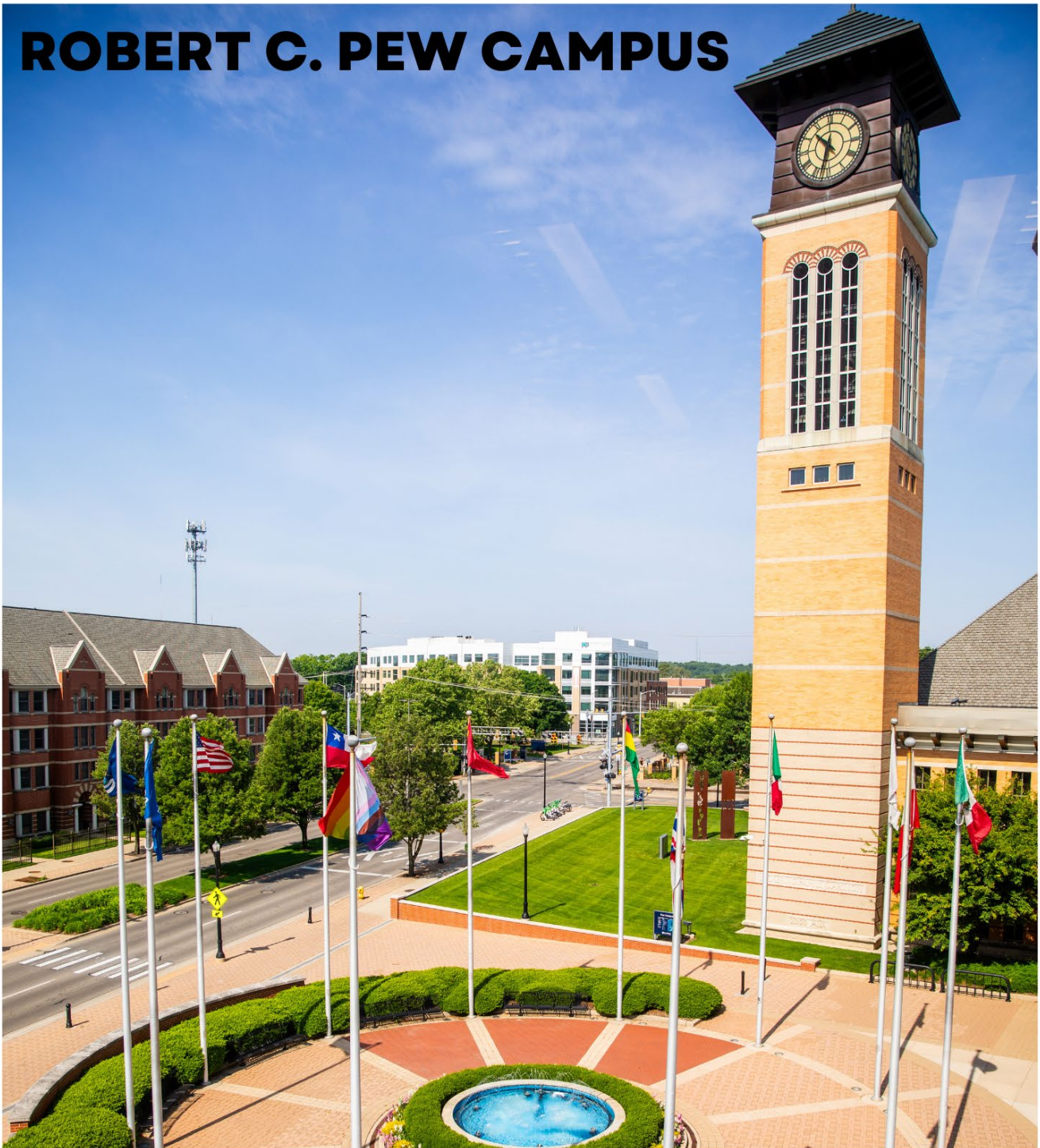


Grand Valley State University Campuses

2025 Annual Security and Fire Safety Report

Statistical Information 2022, 2023, 2024

ROBERT C. PEW CAMPUS



GRAND VALLEY
STATE UNIVERSITY®

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Annual Security and Fire Safety Report 2025 for the Robert C. Pew Grand Rapids Campus

Campus Security Information — Grand Valley State University

Grand Valley State University is a community of approximately 22,200 students and 3,350 full and part-time faculty and staff. The main campus is located midway between Grand Rapids and Lake Michigan in the township of Allendale, Michigan. Classes are offered on the Allendale Campus, the Robert C. Pew and Health Campuses in Grand Rapids, the Frederik Meijer Campus in Holland, the Traverse City Regional Center in the Northwestern Michigan College James Beckett Building in Traverse City, and the Detroit Center Campus in Detroit. Residential student housing is available on the Allendale Campus and the Robert C. Pew Grand Rapids Campuses. The University also operates two research centers in Muskegon: the Robert B. Annis Water Resources Institute in the Lake Michigan Center and the Muskegon Innovation Hub. It should be noted that all policy statements contained in this report apply to the Robert C. Pew Grand Rapids Campus unless otherwise indicated.

The Robert C. Pew Grand Rapids Campus is located in downtown Grand Rapids, Michigan, and is comprised of several university-owned buildings and parking locations, including the Richard M. DeVos Center at 401 Fulton Street West. There are two on-campus residential facilities at the Pew Grand Rapids Campus. Non-campus properties associated with the Pew Grand Rapids Campus include a residence within the City of Grand Rapids for the University President, a business leased for academic purposes within the City of Grand Rapids, a plaza and parking location within the City of Walker, and apartments leased in Battle Creek, Michigan for housing GVSU student teachers.

University campuses, regional centers and research centers are considered to be safe. They are, however, subject to many of the same problems that occur in the surrounding communities. Grand Valley's crime rate is very low in comparison to the national average, as well as other state universities.

Grand Valley is concerned about the wellbeing of everyone on its campuses and has prepared this information to increase your awareness of the current programs that exist for your protection.

The University employs a professionally trained, licensed police force on the Allendale Campus and Grand Rapids Campuses. The Grand Rapids Campuses have professionally trained security staff. Both the Grand Valley Police Department and Grand Valley Security staff are under the umbrella of the Grand Valley State University Department of Public Safety. The Grand Valley State University Department of Public Safety collaborates or interacts on safety related issues with law enforcement or campus security at the research and regional centers where classes are held. The Department encourages all students, faculty, and staff to be alert and aware, and responsible for themselves and their community.

The Office of Civil Rights and Title IX also responds to disclosures of sexual misconduct and harassment in the GVSU community. The Title IX Coordinator is specifically trained to implement policy prohibiting, and procedures responding to, harassment, discrimination,

retaliation, and sexual misconduct involving University employees or students, including providing supportive measures, resources, and university resolution if desired.

Preparing the Annual Crime Statistics Report

The procedures for preparing the annual disclosure of crime statistics include reporting data to the University community obtained from the following sources: the Department of Public Safety, local law enforcement agencies, non-police University Campus Security Authorities, the Office of Civil Rights and Title IX, or anonymous reporting through the University or Silent Observer. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. Training is provided and a written request for statistical information is made to all Campus Security Authorities on an annual basis.

All the statistics are gathered, compiled, and reported to the University community via this report, which is published by the Department of Public Safety. The Department of Public Safety submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website at <https://ope.ed.gov/campusafety/#/>.

Police and Security Services

The primary responsibility for law enforcement on the Pew Grand Rapids Campus rests with Grand Valley State University's Department of Public Safety. All Grand Rapids Campus facilities owned or controlled by Grand Valley are served by Grand Valley State Department of Public Safety during normal business hours and the Grand Rapids Police Department after hours.

All Grand Valley Police Department law enforcement officers are licensed by the Michigan Commission on Law Enforcement Standards (MCOLES). Grand Valley Police Department officers have full law enforcement authority and responsibilities, including the authority to enforce state, local and federal laws and university policies, and the authority to make arrests. They work closely with the Grand Rapids Police Department, the Michigan State Police, and other local, state, and federal law enforcement agencies. The University employs a fully equipped and trained police department providing police services and assistance on the Pew Grand Rapids Campus. The Department of Public Safety maintains a nonemergency dispatch service serving all campuses with office hours on the Allendale Campus. The department relies on 24-hour emergency dispatch service from the Grand Rapids Police Department.

The patrol jurisdiction for the Pew Grand Rapids Campus is limited to the campus property, including the US-131 underpasses that cross campus property.

In addition to law enforcement officers, the University's Department of Public Safety employs student personnel on a part-time basis. Student security personnel provide crowd control, direct traffic, and enforce University rules; student security personnel are limited to on-campus property. Student security personnel do not have arrest authority.

Grand Valley Security staff provide security on the Grand Rapids Campuses. Grand Valley Security staff provide a visible presence 24 hours a day. Their patrol jurisdiction is limited to the campus property. The security staff are uniformed and have the authority to enforce University policies; however, security personnel do not have law enforcement or arrest authority. Grand

Valley Police Department also has sworn campus police officers working on the Grand Rapids Campuses. Police officers are normally working during the daytime operational hours of the Grand Rapids Campuses. The Grand Rapids Police Department assists with any police services needed on the Grand Rapids Campuses when the Grand Valley Police Department does not have police officers scheduled. The Department of Public Safety maintains a nonemergency dispatch service for the Grand Rapids Campuses and relies on 24-hour emergency service from Grand Rapids Police Dispatch.

The Grand Valley State University Police Department has written Memorandum of Understanding (MOU) agreements with local law enforcement agencies. The Grand Valley State University Police Department has an MOU with the Michigan State Police and the Grand Rapids Police Department. The MOUs are specific in pertaining to the investigation of alleged Violence Against Women Act (VAWA) criminal incidents: dating violence, domestic violence, stalking and sexual assault. Additionally, the department has an MOU agreement with the Grand Rapids Police Department for mutual aid to assist each other with police services within each other's respective jurisdictions.

The Grand Valley State University Police Department was awarded accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA) in November 2022.

Reporting Criminal Incidents

Emergencies and Criminal Activity

Criminal, medical, police and fire emergencies on the Pew Grand Rapids Campus should be reported to the Grand Valley Police Department by calling 911. Grand Valley State University Police officers as well as other local police, fire and ambulance services are dispatched by the Grand Rapids Police Department (911) on the Grand Rapids Campuses. All Grand Valley Police Officers are Medical First Responders (MFR) and will respond to medical incidents on the Grand Rapids Campuses. Any student, faculty or staff member is encouraged to report all non-emergency criminal incidents accurately and promptly by calling the University's Department of Public Safety at (616)331-3255. The Department of Public Safety dispatches non-emergency calls-for-service for the Grand Valley State University Police Department and the Grand Valley Security staff on the Grand Rapids Campuses. It is important that accurate information be given. Criminal activities may be reported anonymously to Silent Observer in Kent County at (616)774-2345.

Criminal incidents should be reported to the Grand Valley Police Department (616)331-3255 or the Grand Rapids Police Department (616)456-3400.

Criminal activities occurring on any GVSU property may also be reported anonymously to the University via GVSU Anonymous Reporting online at <https://www.gvsu.edu/legal/anonymous-reporting-60.htm>

Criminal incidents occurring at campus properties owned or controlled by Grand Valley State University should also be reported to the Grand Valley Police Department.

- Police, Fire, Emergency 911
- Public Safety Services (616) 331-3255

The University encourages accurate and prompt reporting of all crimes to the Grand Valley Police Department or the appropriate police agencies when the victim of a crime elects to, or is unable to, make such a report. Crimes should be reported to the Grand Valley State University Police Department or Grand Valley Security staff to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community when appropriate.

When calling 911 or the non-emergency number for the Department of Public Safety, a police officer or security officer will be dispatched where appropriate, or the caller will be directed to appear at the respective department. A formal report will be produced. A Grand Valley Police Department detective or police officer will conduct an investigation when appropriate. If the investigation reveals that there has been a Student Code violation, a Conduct Referral may be filed with the University Office of Student Conduct and Conflict Resolution. If assistance is required from a local police department or a local fire department, Grand Valley Police Department or Grand Valley Security staff will contact the appropriate department. If a sexual assault or rape should occur, staff on the scene, including Grand Valley Police Department and Grand Valley Security staff will offer the victim available University services.

Campus Security Authorities

While victims of crimes are encouraged to report incidents directly to the Grand Valley State University Department of Public Safety, some members of the campus community are identified as Campus Security Authorities (CSA). Over six hundred University members have been identified and receive annual training for reporting criminal incidents that have come to their attention to the Department of Public Safety to ensure inclusion of statistics into the Annual Security and Fire Safety Report, along with providing timely warning notices to the community when appropriate. While not defined in statute, regulations provide that CSAs include campus police or security department personnel; individuals or organizations identified in institutional security policies; and individuals with security-related responsibilities. The definition at § 668.46(a)(iv) states that a CSA also includes an official “who has significant responsibility for student and campus activities.”

Primary CSAs at Grand Valley State University include, but are not limited to, the professional staff working in the Department of Public Safety, Office of Student Affairs, Office of Student Life, the Office of Civil Rights and Title IX, Athletic coaches, Director of Housing along with Living Center Directors, Graduate Assistants and Resident Assistants working in on campus residential housing.

Confidential Reporting

University Counseling Center

The Grand Valley State University Counseling Center has physical locations at 206 Student Services on the Allendale Campus and 101B DeVos on the Pew Grand Rapids Campus; however, their services are offered to all currently registered GVSU students free of charge.

It is the policy of the University Counseling Center that the confidentiality of counseling relationships is consistent with accepted professional standards of the American Psychological Association, the American Counseling Association, the National Association of Social Workers, the American Nurses Association, and with local, state, and federal statutes.

Consistent with the policy of the University Counseling Center, no information regarding a client counseling relationship shall be divulged unless prior written or verbal consent is obtained from the client (Homeland Security may require that the University Counseling Center not inform clients in certain cases). However, confidentiality of the counseling relationship will be broken if such disclosure:

- is necessary to protect the client from imminent physical danger;
- is necessary to protect an identified individual(s) from imminent physical danger (e.g., homicide, engaging in unprotected sex with HIV-positive status [assess risk factors and consult legal counsel for cases involving HIV-positive status]);
- is required to report current child or elder abuse; or
- is necessary in instances when the courts order a disclosure of records.

Professional Counselors have not been identified as persons to whom crimes should be reported. There is no requirement for professional counselors to inform people who they are counseling of procedures to report crimes on a voluntary or confidential basis for inclusion in the annual disclosure of crime statistics.

Employee Ombuds

The Grand Valley State University Office of the Employee Ombuds has physical locations at 133 Lake Michigan Hall on the Allendale Campus and 568 Cook-DeVos Center for Health Sciences on the Grand Rapids Health Campus; however, their services are available to faculty staff at all locations with virtual appointments.

The Office of the Ombuds holds all communication with those seeking assistance in strict confidence to the extent feasible and lawful and takes all reasonable steps to safeguard confidentiality. The employee ombuds prepares data and/or reports in a manner that protects confidentiality. The employee ombuds may break confidence where action is required to prevent serious harm. This is typically limited to situations where there is imminent risk of suicide, homicide, child abuse, or other similar situations. Speaking with an employee ombuds does not constitute legal notice to the university of any problem, concern, or complaint. The ombuds neither acts as agent for, nor accepts notice on behalf of, the organization and shall not serve in a position or role that is designated as a place to receive notice on behalf of the organization. However, the ombuds may refer individuals to the appropriate place where formal notice can be made.

The employee ombuds has not been identified as a person to whom crimes should be reported. There is not a requirement for the employee ombuds to inform people they are speaking with of procedures to report crimes on a voluntary or confidential basis for inclusion in the annual disclosure of crime statistics.

Pastoral Counselors

As Grand Valley State University does not employ pastoral counselors, there are no procedures regarding the reporting of crimes or confidentiality by pastoral counselors.

The Department of Public Safety encourages anyone who is a victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, The Department of Public Safety cannot hold reports of crime in confidence. No other form of confidential reporting is currently available on the campus.

Non-Campus Locations

There are no non-campus Greek housing locations associated with the Pew Grand Rapids Campus.

The University does own a residence within the City of Grand Rapids for the University President and a plaza and parking location within the City of Walker. The University leases a business in the City of Grand Rapids for academic purposes and apartments in Battle Creek, Michigan for housing GVSU student teachers.

The Grand Rapids Police Department, Walker Police Department, Battle Creek Police Department, and Michigan State Police monitor and record any activity at non-campus locations associated with the Pew Grand Rapids Campus. GVSU Public Safety maintains a close working relationship with these respective law enforcement agencies when violations of federal, state or local laws surface. This cooperative approach addresses situations as they arise. The Department of Public Safety records incidents of criminal activity when notified by the Grand Rapids Police Department, Walker Police Department, Battle Creek Police Department, or Michigan State Police.

Campus Notifications

Grand Valley State University is committed to the safety of its students, faculty, and staff. The University may be required to issue a Timely Warning, Emergency Notification or Safety Notice to the campus community in response to certain conditions or incidents. The Grand Valley State University emergency notification system, also known as GVSUAlert! uses email, phone, or text alerts to inform the campus community about emergency or imperative information. All Grand Valley State University community members are automatically signed up for GVSUAlert! notifications via email and receive notifications for all campuses. Users who have their cellphones on file in the University Banner database may receive a text message alert in the event of an Emergency Notification. Members of the community are given the option to add phone numbers at any time to receive phone and text alerts. Students can also add family members to their notification list. Account access is available online at: www.gvsu.edu/gvsualert.

The Department of Public Safety annually requests local law enforcement to notify the University immediately of any crimes or dangerous situations that may require a GVSUAlert! notice to the campus community.

Emergency Notifications

Emergency Notifications, as defined, are triggered as soon as there is confirmation of a dangerous situation or emergency involving an immediate threat to the health or safety of students, employees, or visitors. In the event of an emergency, the Grand Valley State University Department of Public Safety will issue, without delay, an emergency notification to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus. Grand Valley State University Department of Public Safety will determine the content of the notification and will initiate the notification system, taking into account the health or safety of the community, unless issuing a notification will, in

the professional judgment of the appropriate authorities listed below, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.

The Director of the Department of Public Safety or their designee is responsible for the following:

- Determine if an Emergency Notification is warranted:
 - Confirm with the assistance of key campus administrators, local first responders, or the National Weather Service that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.
- Author and authorize the content of the first notification message.
- Have the notification immediately sent by appropriate method:
 - The Department of Public Safety identifies the problem, determines the appropriate segment(s) of the campus community to receive the notification and sends out a notice on the GVSUAlert! system, or by initiating a fire alarm, using a public address system, face to face communication, or other method reasonably intended to notify the campus community. The Department of Public Safety communicates with University Communications staff who will then take over the task of additional messaging on the GVSUAlert! to the campus community. If University Communications staff are not able to send out a second message due to unforeseen events, they will communicate with the Department of Public Safety and request a message be sent. Members of the larger community including parents and neighbors are encouraged to view information posted electronically on the University website and through local media.
- Contact the Assistant Vice President for University Communications, Media and Public Relations, or designee(s). University Communications staff will post follow up information on the University's website which may include the [GVSU Emergency webpage](#), [GVSU home page](#), and the news page, [GVNext](#). University Communications may also send out follow up information utilizing the GVSUAlert! notification system as warranted. GVSU social media channels may be utilized.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the University must follow its emergency notification procedures. When the University follows its emergency notification procedures, it is not required to issue a timely warning based on the same circumstances; however, the University must provide adequate follow-up information to the community as needed.

The University tests the emergency response and evacuation procedures annually. These tests may be announced or unannounced. The University will publish a summary of the emergency response and evaluation procedures in conjunction with at least one test per calendar year. Each test is documented including the description of the exercise, the date and time of the exercise and whether it was announced or unannounced.

The Department of Public Safety has developed and maintains a Comprehensive Emergency Management Plan (CEMP) to effectively provide mitigation, preparedness, prevention, and recovery from all hazards.

Departments are provided with an Emergency Procedure Manual. The Manual is also available on the GVSU Emergency website at <http://www.gvsu.edu/emergency/emergency-procedure-manual-13.htm>.

Individuals can report emergencies occurring at any GVSU campus by calling 911.

Timely Warning Notice Policy

The Grand Valley State University Director of Public Safety or designee is responsible for determining whether criminal activity reported to the Department of Public Safety or other campus security authorities represents a serious or continuing threat to the campus community. When the Department of Public Safety determines that there may be a serious or continuing threat to the health or safety of on-campus students, employees, or visitors, they will notify the Assistant Vice President for University Communications, Media and Public Relations, or designee. The Assistant Vice President for University Communications, Media and Public Relations, or designee will work with Public Safety staff to develop the message. The Assistant Vice President for University Communications, Media and Public Relations, or designee will authorize and send out a timely warning message. Timely warnings are issued in the event that a Clery reportable crime or other criminal activity occurs on or within GVSU Clery geography (on-campus, public, and non-campus property) that, in the judgment of the Department of Public Safety in consultation with other campus security authorities when time permits, constitutes a serious or continuing threat.

GVSU typically issues/posts Timely Warnings for incidents of:

- Criminal Homicide
- Aggravated Assault (cases involving assaults among known parties such as two roommates fighting which results in an aggravated injury will be evaluated on a case-by-case basis to determine if the individual is believed to be an on-going threat to the larger University community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Crime Alert but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by Public Safety Services)
- Major incidents of arson
- Other crimes as determined necessary by the Director of Public Safety Services or their designee in their absence.

Timely warning notices will be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. If the information is reported to the Department of Public Safety after the passage of time, such that the Department of Public Safety reasonably believes there is no longer an imminent threat, a timely warning will not be issued. The institution is not required to issue a Timely Warning with respect to crimes reported to a professional counselor or other individuals that have no obligation to report to the University.

The 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 normally will be sent via email to the campus community. The GVSUAlert! notification system may also be used to deliver voice messages, texts to phones, along with delivering emails as directed by individuals who sign up to receive notices from the system. An announcement of the crime may be posted on the Grand Valley State University Emergency website at <http://www.gvsu.edu/emergency>. The University may also provide formal press releases to various media outlets in the surrounding area.

Safety Notice

Grand Valley Public Safety, in consultation with the Assistant Vice President of University Communications, Media and Public Relations, or designee, may elect to issue a safety notice to members of the University when it is determined there is a reoccurring series of criminal activity, a disruption to operations, or incidents occurring off University grounds that impact the campus community. Safety notices are normally sent via email to the campus community. The GVSUAlert! notification system may also be used to deliver voice messages, texts to phones, along with delivering emails as directed by individuals who sign up to receive notices from the system. Examples include but are not limited to criminal activity, utility outages or other safety related incidents.

Evacuation Procedures

To protect the campus population from the effects of critical events, protective action recommendations or evacuation instructions may be issued by the Department of Public Safety and local emergency response authorities. These instructions may order sheltering or evacuation for individual buildings, regions of campus, or campus wide.

It is important to remember that evacuations and sheltering are issued only if the safety and wellbeing of the University community is at serious risk. Grand Valley State University asks that you follow all instructions and guidance from first responders. Members of the Grand Valley State University community are encouraged to become familiar with recommended sheltering and evacuation procedures and locations.

The campus community will be notified of evacuation and sheltering decisions via building annunciators, strobe alarms, a building or vehicle public address (PA) system, or the various methods of the GVSUAlert! emergency notification system.

Each University building has designated department emergency coordinators to assist in an orderly evacuation and/or sheltering of the campus community if necessary.

The University uses a few modes of evacuation and sheltering:

Evacuation

The most likely need for evacuation from a University building is in response to a fire. When an evacuation/fire alarm sounds, all University operations in that building are suspended, and building occupants should stop what they are doing. LOOK – LISTEN – GO is a concept to make sure it is safe to evacuate before blindly walking out. Occupants not sensing any danger should then follow overhead exit signs to the nearest exit.

Lockdown

During a threatening incident, members of the community should stop what they are doing and move to the safest room in the area. The door(s) should be locked if possible and/or barricaded with anything available in the room.

Turn off lights and remain quiet. Keep away from windows and doors, and out of sight lines. Do not allow anyone in or out of the room until an ALL-CLEAR is issued. Maintain situational awareness and be prepared to execute further action (e.g., run-hide-fight) as good judgment dictates.

Sheltering

Community members may be required to shelter INSIDE a building rather than conduct an evacuation.

- **Tornado Warning – SEEK SHELTER**

Tornado warnings are identified by the sounding of outdoor warning sirens as well as a GVSUAlert! emergency notification. All University staff and students are encouraged to respond promptly to the sounding of the sirens and seek shelter in a designated safety location. All University operations and classroom activities are suspended during a tornado warning.

- **Outdoor Dangers – SHELTER-IN-PLACE**

A dangerous incident outdoors, such as a chemical spill, may require sheltering inside a building rather than evacuating. In such instances, evacuating may expose you to danger. "Shelter-in-place" means to shelter in a safe area where you are currently located.

- If inside a building, stay where you are.
- If outdoors, proceed into the nearest building. Locate an interior room above ground level, shut and lock all windows and close exterior doors. Turn off ventilation devices. Monitor social media, the [GVSU Emergency website](#), radio, and TV for additional information.

Evacuation of Persons with Disabilities

Persons with disabilities have the primary responsibility for requesting assistance. Staff should plan in advance if any students or other staff require assistance during an emergency. When an evacuation/fire alarm sounds, an instructor or supervisor should direct students and staff with disabilities to the nearest area of rescue assistance or an enclosed stairway to await evacuation assistance if necessary. Moving people in wheelchairs down a stairway should only be conducted by trained personnel. One individual may remain with a person with a disability if this can be done without unreasonable personal risk. Others should evacuate the building and advise first responders of the location of persons remaining in the building so that the emergency personnel may complete the evacuation. During an emergency, elevators should not be used to move persons with disabilities.

Training

All instructional staff are provided training on sheltering and evacuation procedures prior to the start of each academic year in accordance with Michigan State Law.

Visit <https://www.gvsu.edu/emergency/> for more information on what to do during a critical event.

Missing Student Notification Policy and Procedure

The policy below applies to all Grand Valley State University students who reside in on-campus housing, including Allendale Campus and Robert C Pew Grand Rapids Campus facilities. All questions about this policy should be directed to the Director of Housing and Residence Life at (616)331-2120. If members of the GVSU community believe that a student has been missing for 24 hours, it is critical that they report that information to Grand Valley State University Department of Public Safety by calling (616)331-3255.

During the housing application process, students are required to provide a confidential missing person contact person to be notified in the case that the student is determined to have been missing for 24 hours. Students are provided an opportunity to update contact information on an annual basis at the Housing Office. The designation will remain in effect until changed or revoked by the student. Students are advised that if they are a missing student and less than 18 years of age and not legally emancipated, a custodial parent or guardian will be notified in addition to the student's confidential missing person contact representative. Students are advised that their confidential missing person contact information will be accessible only by authorized campus officials and will not be disclosed outside of a missing persons investigation except to law enforcement officers in furtherance of a missing person investigation or as otherwise required by law. The Department of Public Safety will be notified when a student in on-campus housing is reported missing, regardless of the student's age or emancipation status, whether the student resides on the Allendale Campus or Robert C Pew Grand Rapids Campus, and whether designated emergency contact information is on file.

The Department of Public Safety will make the final determination that a student is missing and has been missing for more than 24 hours for all resident housing facilities. Any individual on campus with reason to believe that a resident student is missing must immediately notify the Department of Public Safety at (616)331-3255. If Housing and Residence Life or the Dean of Students Office receives a report of a potentially missing resident student, staff members will immediately notify the Department of Public Safety and assist as requested. The Grand Valley Police Department will generate a missing person report and conduct an investigation, working with other appropriate campus staff and local law enforcement agencies as needed to aid in the search for the student. No later than 24 hours after the Grand Valley Police Department determines that the student is missing and has been missing for more than 24 hours, the Director of Public Safety Services or designee will notify the student's missing person confidential contact and local law enforcement, regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor. If the student is under 18 years of age and is not emancipated, DPS will notify the student's custodial parent or guardian or any other designated contact person within 24 hours. The Director of Public Safety or designee will maintain communication with the missing person confidential contact throughout the investigation. This policy does not preclude implementing procedures in less than 24 hours if circumstances warrant faster implementation.

Refer all inquiries regarding the status of a missing student resident to University Communications at (616)331-2221. The Assistant Vice President for University Communications, Media and Public Relations, or designee will coordinate communication in consultation with the Vice President for University Relations, Director of Public Safety, and the Associate Vice President for Student Engagement and Dean of Students.

Campus Hazing Policy and Procedures

Hazing in any form is strictly prohibited and is inconsistent with the values of our community. In compliance with the Jeanne Clery Campus Safety Act ("Clery Act") and Michigan state law ([MCL 750.411t](#)), GVSU enforces a zero-tolerance policy toward hazing and requires all student organizations and affiliated groups to uphold this standard ([SLT Policy 6.24](#)).

Hazing is defined by Grand Valley State University [SLT Policy 6.24](#) as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, whether physical, mental, emotional, or psychological, that

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

Hazing includes, but is not limited to:

1. whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
2. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
3. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
4. causing, coercing, or otherwise inducing another person to perform sexual acts;
5. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
6. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
7. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Student organization is defined (for the purposes of this policy) as an organization at GVSU (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, order, corporation, service group, student government, or similar group) in which two or more of the members are students enrolled at GVSU, whether or not the organization is established or recognized.

How to Report Incidents of Hazing

Anyone may report hazing anonymously or directly to the University through the below channels. Reported incidents will be investigated through the applicable University department process.

- A. Department of Public Safety: (616) 331-3255; call 911 for emergencies. Incidents of hazing involving criminal conduct or visitors.
- B. Office of Student Conduct and Conflict Resolution: (616) 331-3585. Report incidents of hazing involving students or student organizations.
- C. Office of Civil Rights and Title IX: (616) 331-9530. Incidents of hazing on the basis of a protected characteristic.
- D. Human Resources: (616) 331-2215. Incidents of hazing involving GVSU employees or volunteers.

All incidents may be reported online via Maxient or Anonymous Reporting.

- Maxient: https://cm.maxient.com/reportingform.php?GrandValley&layout_id=10
- Anonymous Reporting: <https://www.gvsu.edu/legal/anonymous-reporting-60.htm>

Prevention and Education

In compliance with the Clery Act, GVSU will provide research-informed hazing education and prevention programming designed to reach students, staff, faculty, and advisors involved with student organizations intended to stop hazing before hazing occurs, which may include skill building for bystander intervention, information about ethical leadership, and the promotion of strategies for building group cohesion without hazing. Visit www.gvsu.edu/hazing for more information and to view published Campus Hazing Transparency Reports.

Sexual Assault, Dating Violence, Domestic Violence and Stalking

Grand Valley State University does not discriminate on the basis of sex in its educational programs. Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not. These include dating violence, domestic violence, and stalking. As a result, Grand Valley State University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and regardless of when it is reported to a University campus security authority. In this context, the University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the University community. Questions regarding University policies prohibiting and procedures responding to harassment, discrimination, retaliation, and sexual misconduct should be directed to the University [Office of Civil Rights and Title IX](#).

Definitions

The following definitions of terms related to sexual assault and misconduct include definitions from the Jeanne Clery statute and regulations (used to determine statistics counted in Appendix A of this report), the State of Michigan definition (used to determine if conduct violates the

law), and the definition from the University Policy Prohibiting Discrimination, Harassment, and Misconduct (used to determine if the conduct violates University policy).

Consent:

The Jeanne Clery Campus Safety Act, Appendix A to Subpart D of Part 668, definition of consent: Consent is not defined by the Jeanne Clery Campus Safety Act.

The State of Michigan definition for rape: The term consent is not defined in law by the State of Michigan. However, State of Michigan courts through jury instructions have identified the term consent as: "...a person consents to a sexual act by agreeing to it freely and willingly, without being forced or coerced."

The University Policy Prohibiting Discrimination, Harassment, and Misconduct definition of consent: Consent is defined as knowing, and voluntary, and clear permission expressed by word or action prior to engaging in and during sexual activity.

Consent is active, not passive. Silence, or lack of resistance, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in sexual activity.

Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Consent may be withdrawn at any time as long as the withdrawal is reasonably and clearly communicated by word or action. If consent is withdrawn, that sexual activity should stop.

Previous relationships or prior consent cannot imply consent to future sexual acts. Consent cannot be given by an individual who one knows to be – or based on the circumstances should reasonably have known to be – incapacitated.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

An individual cannot consent who has been coerced, including being compelled by force, threat of force, or deception; who is unaware that the act is being committed; or who is coerced by a Supervisory or disciplinary authority.

Consent may not be given by a person who has not reached the legal age of consent under applicable law. Being impaired by alcohol or drugs will never function as a defense for any behavior that violates this Policy.

Proof of consent or non-consent is not a burden placed on either party involved in a Complaint. Instead, the burden remains on GVSU to determine whether its Policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar and previous patterns that may be evidenced.

Going beyond the boundaries of consent is prohibited misconduct. Thus, unless a sexual partner has consented to slapping, hitting, hair pulling, strangulation, or other physical roughness during otherwise consensual sex, those acts may constitute dating violence or sexual assault.

Rape:

The Jeanne Clery Campus Safety Act, Appendix A to Subpart D of Part 668, definition of rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

The State of Michigan definition for rape: Rape is incorporated within the State of Michigan definition for sexual assault listed below.

The University Policy Prohibiting Discrimination, Harassment, and Misconduct definition for rape: Penetration, no matter how slight, of the vagina or anus of the Complainant, with any body part of the Respondent or by Respondent's use of an object, or oral penetration of the Complainant by a sex organ of Respondent, or by the Respondent's use of a sex-related object, without the consent of the Complainant. This includes sodomy and/or sexual assault with an object.

Sexual Assault:

The Jeanne Clery Campus Safety Act, Appendix A to Subpart D of Part 668, definition of sexual assault: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- *Fondling* - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental capacity.
- *Incest* - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Statutory Rape* - Sexual intercourse with a person who is under the statutory age of consent.

The State of Michigan identifies sexual assault as: Criminal Sexual Conduct (CSC). There are four degrees of CSC: First and Third Degrees require sexual penetration; Second and Fourth Degrees require sexual contact.

- "*Sexual contact*" includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose, or in a sexual manner for revenge, to inflict humiliation, or out of anger.
- "*Intimate parts*" includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.

- *"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. (*Michigan Penal Code, Act 328 of 1931, 750.520a*)

The University Policy Prohibiting Discrimination, Harassment, and Misconduct definition of sexual assault: The following definitions describe prohibited conduct that constitutes sexual assault:

- *Fondling*: the intentional touching of the clothed or unclothed body parts of the Complainant, by the Respondent, (or the forced touching of the clothed or unclothed body parts of the Respondent by the Complainant) for the purpose of sexual degradation, gratification, or sexual humiliation, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of a temporary or permanent mental incapacity.
- *Incest*: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Statutory Rape*: Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence:

The Jeanne Clery Campus Safety Act definition of domestic violence: A felony or misdemeanor crime of violence committed:

1. By a current or former spouse or intimate partner of the victim.
2. By a person with whom the victim shares a child in common.
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
5. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

The State of Michigan definition of domestic violence:

- "Domestic violence" or "offense involving domestic violence" means an occurrence of one or more of the following acts by a person that is not an act of self-defense:
 - Causing or attempting to cause physical or mental harm to a family or household member.
 - Placing a family or household member in fear of physical or mental harm.
 - Causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force or duress.
 - Engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
- "Family or household member" means any of the following:
 - A spouse or former spouse.
 - An individual with whom the person resides or has resided.

- An individual with whom the person has or has had a child in common.
- An individual with whom the person has or has had a dating relationship. As used in this paragraph, "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 individuals in a business or social context.

(*Michigan Code of Criminal Procedure, Act 175 of 1972, [768.27b](#)*)

The University Policy Prohibiting Discrimination, Harassment, and Misconduct definition of domestic violence:

Violence that constitutes a felony or misdemeanor crime committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of Michigan, or use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, committed by a person who:

- is a current or former spouse or intimate partner of the Complainant, or person similarly situated to a spouse of the victim,
- is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner,
- shares a child in common with the Complainant, or
- commits acts against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Michigan.

Dating Violence:

The Jeanne Clery Campus Safety Act definition of dating violence: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with the consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- Dating violence includes but is not limited to sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

The State of Michigan definition of dating violence: Dating violence is defined under the State of Michigan definition of Domestic violence. "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 individuals in a business or social context. (*Michigan Code of Criminal Procedure, Act 175 of 1972, [768.27b](#)*)

The University Policy Prohibiting Discrimination, Harassment, and Misconduct definition of dating violence: violence committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on consideration of the length of the

relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Stalking:

The Jeanne Clery Campus Safety Act definition of stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their safety or the safety of others; or
- Suffer substantial emotional distress.

For purposes of this definition-

- *Course of Conduct* means two or more acts, including but not limited to, acts in which the stalker directly, indirectly or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- *Reasonable Person* means a reasonable person under similar circumstances and with similar identities to the victim.
- *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

The State of Michigan definition of 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.

- "Course of conduct" means a pattern of conduct composed of a series of two or more separate non-continuous acts evidencing a continuity of purpose.
- "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
- "Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unwanted contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.
- "Unwanted contact" means any contact with another individual that is initiated or continued without that individual's consent or in disregard of that individual's expressed desire that the contact be avoided or discontinued. (Examples of unwanted contact are included in the Act.)

(*Michigan Penal Code, Act 328 of 1931, Sec [750.411h](#)*)

The University Policy Prohibiting Discrimination, Harassment, and Misconduct definition of stalking: Engaging in a course of conduct directed at the Complainant that

would cause a reasonable person to fear for the person's safety, or the safety of others, or suffer substantial emotional distress. For the purpose of this definition:

- *Course of conduct* means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the Complainant.
- *Substantial emotional distress* means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Education and Prevention Programs

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

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

Educational programming consists of primary prevention and awareness programs and ongoing awareness and prevention campaigns for students and employees that:

- Identify domestic violence, dating violence, sexual assault and stalking as prohibited conduct.
- Define what behavior and actions constitute consent to sexual activity in the State of Michigan.
- Define consent and the purpose for which the definition is used.
- Define domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms.
- Provide safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
- Provide information on risk reduction to identify options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provide an overview of information contained in the Annual Security Report in compliance with the Clery Act which includes:
 - Procedures the person should follow if they are a victim/survivor of domestic violence, dating violence, sexual assault, or stalking, including preserving evidence, how and to whom the offense should be reported, options about the involvement of

law enforcement and campus security authorities, and information on no-contact orders.

- Written notification to students and employees about rights and options including existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims both on campus and within the community, along with how to request changes in academic, living, transportation, and working situations, or protective measures if they are reasonably available.
- Procedures for University disciplinary action.
- Possible sanctions or protective measures the University may impose.
- Confidentiality of victims.

The University is committed to providing awareness programming to all members of the campus community surrounding Dating Violence, Domestic Violence, Sexual Assault, and Stalking. Unless otherwise noted, the following is a list of primary awareness and prevention programs that were offered to all incoming students and staff in 2024.

The University offered the following primary prevention programs for students and employees in 2024:

<u>Name of Program</u>	<u>Date Held</u>	<u>Students or Employees</u>	<u>Which Prohibited Behavior Covered?*</u>
How to Laker Training Modules	Fall 2024	Students	SA, S, DoV, DaV

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, and S means Stalking

The University offered the following ongoing awareness and prevention programs for students and employees in 2024:

<u>Name of Program</u>	<u>Date Held</u>	<u>Students or Employees</u>	<u>Which Prohibited Behavior Covered?*</u>
National Stalking Awareness Month – Social Marketing Campaign	January 2024	Students, Employees	S
Stalking Awareness Day of Action Tabling	1/18/24	Students, Employees	S
WIT Cart – Stalking Stats	1/22/24	Students, Employees	S
Talk Back Tuesday: Health Relationships & Dating Tips (Sex Ed Week)	2/13/24	Students, Employees	SA, S, DoV, DaV
Consent and Sports Culture	2/15/24	Students	SA, S, DoV, DaV
Deep Dive into Healthy Relationships	2/18/24	Students	SA, S, DoV, DaV
DIY Healing Garden	4/6/24	Students, Employees	DoV, DaV
Talking Back Tuesday: SAAM	4/9/24	Students, Employees	DoV, DaV, SA
CJ 642 Presentation	4/2/24	Students	SA, S, DoV, DaV
Letters to Survivors	4/3/24	Students, Employees	SA, S, DoV, DaV
Teal Out Brunch	4/11/24	Students, Employees	SA
Film Friday: I am Vanessa Guillen	4/12/24	Students	SA, S
Unfrozen: Female Audience	4/15/24	Students, Employees	SA, S, DoV, DaV
Unfrozen: Male Audience	4/15/24	Students, Employees	SA, S, DoV, DaV
Power Punch	4/17/24	Students	SA
Trauma Informed Yoga	4/23/24	Students	SA
Athletics NCAA Staff Training	4/23-24/24	Employees	SA, S, DoV, DaV
Building Community and Supporting Survivors	9/25/24	Students	SA, S, DoV, DaV
Centering Yoga	10/4/24	Students	SA, S, DoV, DaV
Bracelet Making	10/7/24	Students	SA, S, DoV, DaV
Candlelight Vigil	10/7/24	Students, Employees	SA, S, DoV, DaV
Talk Back Tuesday	10/8/24	Students, Employees	SA, S, DoV, DaV
Letters to Survivors	10/9/24	Students, Employees	SA, S, DoV, DaV
Centering Yoga	10/11/24	Students	SA, S, DoV, DaV
Red Sand Project	10/14/24	Students, Employees	DoV, DaV
Centering Yoga	10/18/24	Students	SA, S, DoV, DaV
Heavybag Kickboxing	10/24/24	Students	SA, S, DoV, DaV

<u>Name of Program</u>	<u>Date Held</u>	<u>Students or Employees</u>	<u>Which Prohibited Behavior Covered?*</u>
Magnet & Bracelet Making	10/24/24	Students, Employees	DaV, DV, SA
Centering Yoga	10/25/24	Students	SA, S, DoV, DaV
Feminist Film Friday: Herself	10/25/24	Students, Employees	DoV, DaV
Red Jean Redemption	10/29/24	Students, Employees	SA, S, DoV, DaV

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, and S means Stalking

Faculty, staff, and students of the Grand Valley State University community are encouraged to learn, practice and implement Bystander Intervention and Risk Reduction for specific situations. Following are some ways members of our community can help everyone be safe.

How to be an active bystander

Active bystanders:

- Can intervene before sexual assault occurs.
- Can address sexist attitudes and beliefs to combat behavior that supports sexual violence.
- Are pro-social and intervene in ways that impact the outcome positively.
- Influence their peer group and community.

Simply checking in with someone can stop the momentum of something bad happening: *Hey, we're all trying to have a good time. Is everything okay here?*

In order to create a safer community, everyone can take steps to be an active bystander:

- Consider whether the situation demands some action.
- Identify the responsibility to act. Choose what form of assistance you can use to intervene.
- Listen and be open to a victim seeking help.
- Ask yourself, "If I were in this situation, would I want someone to help me?"
- Even small interventions can make a big difference in a questionable situation.
- Just distracting someone, saying something, checking in with a person, can stop a situation from escalating.
- Use your cell phone (or any phone) to contact 911.
- If you see or hear oppressive (sexist, homophobic, transphobic, racist, etc.) acts happening, speak up and challenge those statements.

Risk reduction

If you become the victim of a crime, **it is not your fault**. Perpetrators, not victims, are responsible for dating violence, domestic violence, sexual assault, stalking, and other crimes.

There are some actions that may increase your sense of safety empowerment.

- Trust your instincts. Listen to your inner voice and act on it.
- You can't tell if someone has the potential to rape based on how they look or because they have been non-violent in the past.
- Ask yourself, "Am I able to say 'no'?" and, "Am I comfortable with what is happening?" If not, leave. Know and set your boundaries.
- Remember, you can reject what someone is doing without rejecting them.
- Get out of the situation as soon as you sense danger or feel afraid.
- Take assertiveness training and self-defense courses.

- Remember that **no ALWAYS means no**. Ask your partner if you are uncertain about what they are expecting. Do not give mixed messages; be clear.
- Set limits for yourself and your partner (e.g., "I will be home by 12:00," or, "Keep your hands above my waist.")
- Know that you have the right to say no **at any point** in any sexual act regardless of whether you have had sexual contact with that person before.
- Have a safety plan. Use the on-campus escort program ([Safewalk](#)).
- Avoid walking alone at night. Be aware of who is supplying your drinks and keep your drink on your person. Rape-facilitated drugs are tasteless, colorless, and odorless. Victims don't know they have ingested drugs until the effects are well under way.
- Attend and leave parties with friends you know and trust. Look out for each other. If you see someone who could be in trouble, speak up or call the authorities.
- At the first sign of danger, **call 911**.
- Be alert and aware of your surroundings at all times.

Things to always keep in mind during any sexual encounter:

- First, be respectful. Anytime you are uncertain whether your partner is comfortable with your behavior, ask! You can simply say, "Are you okay with this?"
- Assume that "no" means no. What's more, assume that "I'm not sure" means no and silence means no.
- Understand that a person who is incapacitated due to drugs or alcohol or due to a temporary or permanent physical or mental health condition is not legally capable of giving consent. If the other person is not capable of making an informed decision, do not have sex.
- Recognize that your sexual needs do not give you the right to do whatever you want. Any sexual activity should be mutually desired.
- Be aware that committing rape has severe consequences. For your victim, there can be years of emotional trauma, unwarranted guilt, fear, and health risks. For the person committing the offense, sexual assault can lead to University conduct sanctioning, criminal charges, attorney expenses, and/or prison.

What to do if you have been the victim of sexual assault, dating violence, domestic violence or stalking

It is not uncommon for a victim/survivor of sexual assault, domestic violence, dating violence and stalking to feel fearful, confused, guilty, ashamed or isolated. Many people find it helpful to talk with someone about their feelings and their options. There are many trained people at the University and in the community who are prepared to assist you.

You are encouraged to report incidents of sexual assault, dating violence, domestic violence, and stalking to the Grand Valley Department of Public Safety. Reporting incidents to the Grand Valley Police Department does not commit you to further legal action; the police will help whether or not you choose to prosecute the assailant. If you choose, the earlier you report these crimes to the police, the easier it will be for police to investigate the crime and to prosecute the case. Earlier reporting helps to preserve your options for the future. Those not wanting to report incidents directly to the police may wish to speak with campus resources including a Victim and Survivor Advocate through the Center for Health and Wellbeing or the Office of Civil Rights and Title IX. You may also make a report via the Discrimination, Harassment, or Misconduct Report Form at www.gvsu.edu/titleix/. Additionally, you may make

an anonymous report at GVSU Anonymous Reporting (<https://www.gvsu.edu/legal/anonymous-reporting-60.htm>).

The Grand Valley Police Department officers can assist you in contacting a variety of University resources including Victim and Survivor Advocacy, the University Counseling Center, and with transportation to a nurse examiner program. A Victim and Survivor Advocate and officers at the Grand Valley Police Department can assistance in obtaining, and transportation to the court for, a personal protection order, or in contacting other law enforcement agencies if the assault did not occur on campus. Grand Valley Police officers and a Victim and Survivor Advocate can assist you by informing you of various options in reporting the incident and will respect the choices made by you, including non-reporting. If you request an investigation, a Victim and Survivor Advocate will contact appropriate personnel to assist. If you prefer to speak with a police officer of a specific gender, every reasonable attempt will be made to make one available.

Hospital treatment is recommended in situations where there is serious physical harm, including loss of consciousness or a blow to the head, continual bleeding following the assault, possible broken bones, a laceration requiring stitches, abdominal or chest pain present, pregnancy, or other serious medical or emergency conditions.

After an incident of rape, you should consider seeking medical attention as soon as possible from a specially trained nurse: Sexual Assault Nurse Examiners (SANE). A nurse examiner program is different from visiting an emergency room at a hospital. The nurse examiner programs provide free and confidential comprehensive medical exams to rape victims/survivors. During an examination, with your consent, evidence is collected by a specially trained nurse in a supportive environment. In the State of Michigan, evidence may be collected even if you chose not to make a report to law enforcement. If you do not know if you wish to pursue a criminal investigation, it is still recommended that you visit a nurse examiner for health care concerns. In addition to collecting evidence, a nurse examiner can also provide emergency contraception, high-dose antibiotics to treat gonorrhea and chlamydia, and other important resources, such as counseling.

Although it is not an absolute deadline, it is strongly encouraged that physical evidence be collected within 120 hours. It is helpful if, as a victim/survivor of sexual assault, you consider not showering, bathing, douching, smoking, brushing your teeth, changing clothing, or cleaning the bed/linens/area where you were assaulted; but doing so does not disqualify you from an examination.

Any preserved evidence collected may be used to the proof of criminal activity or in obtaining a protection order. If possible, you should maintain the scene exactly as it was at the time of the assault if you intend to report the incident to the police. The collection of evidence does not presume that charges will be filed against the assailant; the filing of a criminal charge is always the choice of the victim/survivor.

Nurse Examiner Programs

Kent County offers a Nurse Examiner Programs free of cost through the YWCA of Grand Rapids. Victims/survivors are encouraged to call in advance before going to any of the following locations. Someone is on call 24-hours a day. The YWCA is not a hospital-based program.

YWCA of Grand Rapids

25 Sheldon Ave SE
Grand Rapids, MI 49503
24-hour crisis hotline
(616)454-YWCA (454-9922)

Resilience in Ottawa County is also a free of cost Nurse Examiner Program available to victim/survivors.

Resilience: Advocates for Ending Violence (formerly Center for Women in Transition)

411 Butternut Drive
Holland, MI 49424
(616)392-1970 or (800)848-5991 (crisis line)

Victims/survivors of sexual assault, domestic violence, stalking and dating violence are encouraged to also preserve additional evidence by saving text messages, instant messages, social networking pages, and other communications, and keep pictures, logs, or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police. Although the University strongly encourages all members of its community to report violations to law enforcement, it is the victim/survivor's choice whether to make such a report, and the victim/survivor has the right to decline involvement with the police. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with the Grand Valley Department of Public Safety or other law enforcement to preserve evidence if the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or in obtaining a protection order. If the suspect is a student or employee member of the University community, victim/survivors have the option to file a complaint with the Office of Civil Rights and Title IX. The University Office of Civil Rights and Title IX is located at Suite 4015 Zumberge Hall, Allendale MI 40401, (616) 331-2242. The Office of Civil Rights and Title IX is responsible for managing the University's compliance with Title IX requirements. Complaints involving assailants who are student and non-student members of the University community will be investigated by the Office of Civil Rights and Title IX. The University's Policy Prohibiting Harassment, Discrimination, Retaliation, and Sexual Misconduct (including sexual assault, intimate partner violence, stalking, and sexual exploitation), including a description of the grievance procedures can be located in the University Policies, <http://www.gvsu.edu/policies>.

Representatives from the Department of Public Safety, Victim and Survivor Advocacy, and the Office of Civil Rights and Title IX are available to assist and will comply with a victim/survivor's request in notifying proper law enforcement authorities, including local and on-campus police if so desired.

Incidents involving sexual assault, dating violence, domestic violence, or stalking occurring on the Pew Grand Rapids Campus should be reported to the Grand Valley Police Department when available by calling 911 for emergencies or directly for non-emergencies by calling (616) 331-3255, or the Grand Rapids Police Department at (616)456-3400. Victim/survivors may meet with officers in person and report the incident at the Grand Valley Police Department Grand Rapids office located at 609 Watson St SW, Grand Rapids, MI 49504. Victim/survivors may otherwise request officers be dispatched to a location on or near the campus to meet with the

victim/survivor for a report. Additional information about Public Safety Services may be found online at <http://www.gvsu.edu/dps/>.

All incidents occurring at any of the Grand Valley State University owned/controlled campus properties should also be reported to the Grand Valley Police Department. When reporting to a police department, an officer will take a report from a victim/survivor on or near that specific campus location.

The University will provide resources to a victim/survivor of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate policy. The procedures are intended to afford a prompt response to allegations of sexual assault, domestic or dating violence, and stalking, to maintain privacy and fairness consistent with applicable legal requirements, and to impose appropriate University sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making the investigation, possible prosecution, disciplinary proceedings, or obtaining protection orders from abuse related to the incident more difficult. If a victim/survivor chooses not to file a complaint regarding an incident, they nevertheless should consider speaking with a member of the Department of Public Safety staff or another law enforcement agency to preserve evidence in the event that the victim/survivor changes their mind at a later date.

For additional information, visit the Grand Valley State University Victim's Rights and Options website at www.gvsu.edu/vro/.

Assistance for Victim/Survivors: Rights & Options

Regardless of whether a victim student or employee elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information includes:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred,
- information about how the institution will protect the confidentiality of victims and other necessary parties,
- a statement that the institution will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims both within the institution and in the community,
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures, and
- an explanation of the procedures for institutional disciplinary action.

Written information in pamphlet form is available at the Grand Valley Department of Public Safety, the Center for Health and Wellbeing, the Center for Women & Gender Equality, the Dean of Students Office, University Counseling Center, and the Office of Civil Rights and Title IX. An online version is available at: https://www.gvsu.edu/cms4/asset/0D813320-A27D-3F6D-4C756193BA75D4F3/2024update_21_0284_vrobroch.pdf. More information is available online at www.gvsu.edu/vro.

In the State of Michigan, a victim/survivor of domestic violence, dating violence, sexual assault, or stalking has the following rights if the case is prosecuted in the courts:

- The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.
- The right to timely disposition of the case following arrest of the accused.
- The right to be reasonably protected from the accused throughout the criminal justice process.
- The right to notification of court proceedings.
- The right to attend trial and all other court proceedings the accused has the right to attend.
- The right to confer with the prosecution.
- The right to make a statement to the court at sentencing.
- The right to restitution.
- The right to information about the conviction, sentence, imprisonment, and release of the accused.

(Victims' Rights Act, PA 87 of 1985)

The University complies with the law in the State of Michigan recognizing Personal Protection Orders. Grand Valley Police Department officers or the Campus Victim Advocate will meet with members of our community to discuss how to obtain a Personal Protection Order. Grand Valley Police Department officers will transport members of the campus community who do not have any means of transportation to a local court to obtain the order. If obtained, Grand Valley Police Department officers will serve the order at no cost if the respondent is in the vicinity of the Allendale or Grand Rapids Campuses.

Members of the University who obtain a Personal Protection Order within the State of Michigan or any other state outside of Michigan against another person should contact and provide a copy of the order to the Department of Public Safety. The Department of Public Safety will keep the order on file and assist in directing the complainant to resources within the campus to develop a Safety Action Plan. Grand Valley Police Department, Housing, the Office of Civil Rights and Title IX, and the Campus Victim Advocate are resources available to assist in developing a plan. The plan is intended to reduce the risk of harm while on campus. The plan may include, but is not limited to change of academic, housing, transportation, working or other special safety factors on a case-by-case basis.

Personal Protection Orders can be obtained by petitioning a court. In a Personal Protection Order (PPO), a court orders another person to stop threats or violence against you. Generally, there are two types of PPO orders:

- Domestic/Non-Domestic PPO: A PPO is available if the person you want protection from is:
 - Your spouse or former spouse.
 - Someone with whom you have a child in common.
 - Someone you are dating or dated in the past.
 - Someone who lives now, or has ever lived, in the same household with you.
 - Someone who sexually assaulted you.

It must be shown that this person is interfering with your personal freedom or has threatened or committed violence against you.

- **Stalking PPO:** A stalking PPO is available to protect you from anyone else who has engaged in a pattern of two or more acts without your consent that make you feel threatened, harassed, frightened, or molested.

A parent may not obtain either type of PPO against their minor child. A minor child is unable to obtain a PPO against a parent. In such cases, the county Juvenile Division of the Family Court should be contacted for support.

A State of Michigan guide for Personal Protection Orders is available online at:
<https://www.michigan.gov/voices4/sexual-assault/legal/ppo>.

Under circumstances where a community member does not wish to obtain a PPO for domestic or stalking incidents, yet does not want contact with another person, the Department of Public Safety can assist with a "No Contact/Cease and Desist" letter. To obtain such a letter, a community member is required to file a report with the Department of Public Safety summarizing the nature of the incident. The letter outlines that a community member is making notice to another person that the other person is prohibited from contacting the community member by various means, including in person, telecommunication devices, or by a third party. The document serves as notice that no contact is wanted. If contact continues, the letter has the potential to be used as evidence towards a criminal stalking complaint.

Individuals who are suspect in sexual assault, dating/domestic violence or stalking and are not part of the campus community may be trespassed from entering onto University property. The Department of Public Safety can assist with the trespass order. A report is required to be filed with the Department of Public Safety outlining the nature of the incident. Under certain circumstances, a member of the community can be trespassed from specific areas on the campus.

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

On Campus Resources for Grand Rapids Campuses

The following resources are available to all GVSU students, faculty and staff. Many of them are physically located on the main Allendale Campus.

COUNSELING / MENTAL HEALTH		
University Counseling Center - Pew Campus	101B DeVos (Pew Campus)	(616) 331-3266
AllOne Health (<i>employee assistance program</i>)	1090 Zumberge Hall (2025 E Beltline Ave SE #209 Grand Rapids, MI 49546)	(800) 788-8630
MEDICAL		
Campus Health Center	10383 42 nd Ave Suite A (Allendale)	(616) 331-2800
VICTIM ADVOCACY		
Victim and Survivor Advocacy	181 North C Living Center (Allendale)	(616) 331-2748
VISA / IMMIGRATION ASSISTANCE		
Padnos International Center	130 Lake Ontario Hall (Allendale)	(616) 331-2900

On Campus Resources for Grand Rapids Campuses (*Continued*)

STUDENT FINANCIAL AID		
Student Financial Aid Office	100 Student Services Building	(616) 331-3234 (800) 748-0246
POLICE / OTHER REPORTING OPTIONS		
Grand Valley Police Department	609 Watson St SW, Grand Rapids 49504 (Grand Rapids Campuses)	(616) 331-3255 Non-Emergency 911 - Emergencies
Office of Civil Rights and Title IX	4015 Zumberge Hall (Allendale)	(616) 331-9530
Dean of Students	202 Student Services Building (Allendale)	(616) 331-3585
ADDITIONAL RESOURCES		
Division of People, Equity, and Culture	1000 Zumberge Hall (Allendale)	(616) 331-2126
Office of Multicultural Affairs	1240 Kirkhof Center (Allendale)	(616) 331-2177
Lesbian, Gay, Bisexual and Transgender Resource Center	1161 Kirkhof Center (Allendale)	(616) 331-2699
Student Accessibility Resources	215 The Blue Connection (Allendale)	(616) 331-2490
Military & Veterans Resource Center	0072 Kirkhof Center (Allendale) or 110 DeVos Center for Interprofessional Health (Health)	(616) 331-8447
Legal Assistance is not available on-campus; see below for community resources.		

Off-Campus Resources in the Kent County Area

COUNSELING / MENTAL HEALTH		
Network 180	790 Fuller Ave NE Grand Rapids, MI 49503	(616) 336-3909 (800) 749-7720
Men's Resource Center	534 Fountain St NE Grand Rapids MI 49503	(616) 456-1178
MEDICAL		
Corewell Health Butterworth Hospital	100 Michigan St NE Grand Rapids MI 49503	(616) 391-1774
YWCA of West Central Michigan	25 Sheldon Blvd Grand Rapids MI 49503	(616) 454-9922
VISA / IMMIGRATION ASSISTANCE		
Migrant Legal Aid	1104 Fuller Ave NE Grand Rapids, MI 49503	(616) 454-5055
Hispanic Center of Western Michigan	1204 Cesar E Chavez Ave SW Grand Rapids, MI 49503	(616) 742-0200

Off-Campus Resources in the Kent County Area (*Continued*)

LEGAL ASSISTANCE		
Legal Assistance Center	180 Ottawa Ave NW, Suite 5100 Grand Rapids, MI 49503	(616) 632-6000
Legal Aid of Western Michigan	25 Division Ave S, Suite 300 Grand Rapids, MI 49503	(616) 774-0672
POLICE		
Grand Rapids Police Department	1 Monroe Center NW Grand Rapids MI 49503	(616) 456-3400
PERSONAL PROTECTION ORDERS		
17th Circuit Court	180 Ottawa Ave NW, Suite 3500 Grand Rapids MI 49503	(616) 632-5071

Additional resources for all campuses are available at www.gvsu.edu/vro.

Confidentiality

The University will protect the confidentiality of any necessary parties and/or persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent permitted by law. Additionally, personally identifying information about the victim/survivor and other necessary parties will be treated as private and only shared with persons with a specific need-to-know who are investigating/adjudicating the complaint or delivering resources or support services, including accommodations and protective measures, to the complainant. The University does not publish the name of crime victims nor house identifiable information regarding victims in the Department of Public Safety daily crime log or online. If a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Victims/survivors may request that directory information on file be removed from public sources. The University will make all reasonable efforts to ensure preservation of privacy, restricting information to those with a legitimate need for it. The University will maintain as private any accommodations or protective measures provided to the victim, to the extent that maintaining such privacy would not impair the ability of the institution to provide the accommodations or protective measures.

Only those University employees who are licensed professional counselors (e.g., mental health counselors, psychologists) and the employee ombuds, and working for the University in that capacity, are able to maintain your complete confidentiality and are not required to convey information regarding your situation to anyone without your consent. Many employees are designated by the University as a Mandatory Reporter and, when notified of behavior that is related to a protected characteristic that may violate University policy, including but not limited to discrimination, harassment, sexual misconduct, including sexual assault, stalking, intimate partner violence (dating/domestic violence), sexual exploitation, sexual harassment, or gender-based harassment, they must immediately report the information to the Office of Civil Rights and Title IX. All individuals deemed by the University to be Clery Act Campus Security Authorities (including personnel from the Office of Civil Rights and Title IX and Student

Ombuds) must submit all received reported details of criminal incidents to the Department of Public Safety but may refrain from sharing personally identifying information if requested to do so. The [University Policy Prohibiting Discrimination, Harassment, and Misconduct](#) is published in the [University Policies https://www.gvsu.edu/policies/](#). Consult the [Office of Civil Rights and Title IX](#) for additional information about the designation of a Mandatory Reporter and/or the [Grand Valley Police Department](#) with questions regarding the Campus Security Authority program.

You should always discuss your desires regarding the sharing of information with any University employee with whom you speak to ensure you understand their reporting obligation and what information they may be required to share.

University Investigative Procedures Following a Complaint

Whether or not criminal charges are filed, a victim/survivor may request the University to investigate reports of domestic violence, dating violence, sexual assault or stalking through the Office of Civil Rights and Title IX. Reports of all domestic violence, dating violence, sexual assault and stalking made to the Public Safety Services will automatically be referred to the Office of Civil Rights and Title IX for determination of a University investigation regardless of whether the victim/survivor chooses to pursue criminal charges.

[GVSU's Procedure: Resolution Process for Alleged Violations of GVSU Policy Prohibiting Discrimination, Harassment and Misconduct](#) is detailed in the following pages.

To view the policy and the complete procedures, visit <http://www.gvsu.edu/titleix>.

Resolution Process for Alleged Violations of GVSU Policy Prohibiting Discrimination, Harassment and Misconduct (Hereinafter the "Resolution Process")

Overview

GVSU will act on any Complaint or Report of a potential violation of the GVSU Policy Prohibiting Discrimination, Harassment and Misconduct for All Faculty, Students, Employees, and Third Parties ("Policy") that the GVSU Office of Civil Rights and Title IX ("OCRTIX") or Mandatory Reporter receives by applying the Resolution Processes outlined in this document.

I. Initial Evaluation

A. Notice

Upon receipt of Notice, by Report or Complaint, of an alleged Policy violation, the OCRTIX will initiate a prompt Initial Evaluation to determine next steps. The OCRTIX will contact the Complainant or other source of the Notice to offer supportive measures, provide information regarding resolution options, and determine how they wish to proceed.

If OCRTIX's first Notice of an incident is by direct phone call or walk-in to its office (i.e., not through online submission or Mandatory Reporter), OCRTIX will advise the Complainant of their Confidential Reporting Options under the Policy before initiating the Initial Evaluation.

B. Initial Evaluation Overview

The OCRTIX conducts an Initial Evaluation typically within seven (7) business days of receiving Notice of an alleged incident.

The initial evaluation will include:

- Assessing whether the reported conduct may reasonably constitute a violation of the Policy. If the conduct may not reasonably constitute a violation of the Policy, the matter is dismissed, consistent with the dismissal provision in these procedures. Any remaining allegations may then continue through the Resolution Process, if applicable.
- Determining whether GVSU has jurisdiction over the reported conduct, as defined in the Policy. If the conduct is not within GVSU jurisdiction, the matter is dismissed, consistent with the dismissal provision in these procedures. If applicable, the conduct may be referred to an alternate GVSU office or other entity for resolution.
- Engaging in the prompt and effective response to allegations as outlined in the Policy, including offering and coordinating supportive measures for the Complainant and Respondent as applicable, notifying the Complainant and Respondent of the applicable resolution process, including any applicable grievance procedures, determining whether the Complainant, the OCRTIX itself, or any other person on behalf of the Complainant, will initiate a formal Complaint, and taking any other necessary prompt action in effort to ensure prohibited conduct does not continue or recur.

C. Complaint by Complainant

If the Complainant, or other legal representative of the Complainant on their behalf, indicates during the Initial Evaluation that they wish to initiate a Complaint, the OCRTIX will help to facilitate the Complaint, which will include:

- Advising the Complainant of the Methods of Notice under the Policy, including assistance with filing the Complaint if requested.
- Advising the Complainant of the Time Limits on Reporting under the Policy

D. Complaint by OCRTIX

If the Complainant does not wish to file a Complaint, the OCRTIX, who has ultimate discretion as to whether a Complaint is initiated, will both offer supportive measures and determine whether to initiate a Complaint itself. To make this determination, the OCRTIX will determine if there is a serious and imminent threat to a person's safety or if GVSU cannot ensure the community's continued access to its education programs and activities without initiating a Complaint. The OCRTIX will consider the following non-exhaustive factors when evaluating whether to file a Complaint:

- The Complainant's request not to initiate a Complaint.
- The Complainant's reasonable safety concerns regarding initiating a Complaint.
- The risk that additional acts of discrimination, harassment or misconduct would occur if a Complaint is not initiated.
- The severity of the alleged policy violation, including whether the behavior, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence.

- The age and relationship of the Parties, including whether the Respondent is a GVSU employee.
- The scope of the alleged conduct, including information suggesting a pattern, ongoing prohibited conduct, or conduct alleged to have impacted multiple individuals.
- The availability of evidence to assist a Decision-Maker in determining whether discrimination, harassment or misconduct occurred.
- Whether GVSU could end the alleged prohibited conduct and prevent its recurrence without initiating its resolution process.

If deemed necessary, the OCRTIX may consult with appropriate GVSU employees, and/or conduct a Risk Assessment to aid its determination whether to initiate a Complaint.

When the OCRTIX initiates a Complaint, it does not become the Complainant. The Complainant is the person who experienced the alleged conduct that could constitute a violation of this Policy.

E. Counter-Complaints

GVSU is obligated to ensure that the Resolution Process is not abused for retaliatory purposes. Although GVSU permits the filing of counter-complaints, the OCRTIX will use an initial evaluation, described above, to assess whether the allegations in the counter-complaint are made in good faith. When counter-complaints are not made in good faith, they will not be permitted. They will be considered potentially retaliatory and may constitute a violation of the Policy.

Counter-complaints determined to have been reported in good faith will be processed using the Resolution Process below. If the OCRTIX determines it feasible, investigation of such claims may take place concurrently or after resolution of the underlying initial Complaint.

F. Advisors in the Resolution Process

The Parties may each have an Advisor present with them for all meetings, interviews, and hearings within the Resolution Process, including intake and Initial Evaluation. The presence of an Advisor is required for all Formal Resolution Grievance Procedures.

i. Who Can Serve as an Advisor?

The Parties may select whomever they wish to serve as their Advisor (friend, mentor, family member, attorney, or any other individual a party chooses) as long as the Advisor is eligible and available.

Eligible and available means the Advisor has the inclination, time, and availability to assist the party. The Advisor cannot have institutionally conflicting roles, such as being an administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions. Additionally, choosing an Advisor who is also a witness in the process creates potential for bias and conflicts of interest and is prohibited.

The OCRTIX will offer to assign a trained Advisor to any party if the party chooses. If the Parties choose an Advisor from the Resolution Process Pool available from

GVSU, GVSU will have trained the Advisor and familiarized them with GVSU's Resolution Process.

GVSU cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, or cannot afford an attorney, GVSU is not obligated to provide an attorney to advise that party.

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. Parties are expected to provide the OCRTIX with timely notification if they change Advisors. If a party changes Advisors, consent to share information with the previous Advisor is assumed to be terminated, and a release for the new Advisor must be submitted.

GVSU may permit Parties to have more than one Advisor, or an Advisor and a support person, upon special request to the OCRTIX. The decision to grant this request is based on the complexity of the case (including number of persons or allegations involved and severity of the allegations) as determined by the OCRTIX and if granted, will be granted equitably to all Parties.

If a party requests that all communication be made through their attorney Advisor instead of to the party, GVSU may refuse that request as typically both the party and their Advisor are included on communications.

Advisors appointed by the institution cannot be Confidential Employees, and although they will not be asked to disclose details of their interactions with their advisees to institutional officials or Decision-Makers absent an emergency, they are still reminded of their Mandatory Reporter responsibilities.

As a public entity, GVSU fully respects and accords the Weingarten rights of employees, meaning that for Parties who are entitled to union representation, GVSU will allow the unionized employee to have their union representative as well as an Advisor of their choice present for all resolution-related meetings and interviews. To uphold the principles of equity, the other party (regardless of union membership) will also be permitted to have two Advisors. Witnesses are permitted to have union representation or Advisors in Resolution Process interviews or meetings.

ii. Advisor's Role in the Resolution Process

Advisors should help the Parties to prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak on behalf of their advisee unless given specific permission to do so as determined by the OCRTIX.

The Parties are expected to ask and respond to questions on their own behalf throughout the Resolution Process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any Resolution Process meeting or interview. For longer or more involved discussions, the Parties and their Advisors should ask for breaks to allow for private consultation.

iii. Records Shared with Advisors

Advisors are entitled to the same opportunity as their advisee to access relevant evidence, the evidence summary, and written investigation report.

Advisors are expected to maintain the confidentiality of the records GVSU shares with them, per all provisions of the Policy addressing Confidentiality. Advisors may not disclose any GVSU work product or evidence GVSU obtained solely through the Resolution Process for any purpose not explicitly authorized by GVSU.

Accordingly, Advisors may be asked to sign Non-Disclosure Agreements (NDAs). GVSU may decline to share materials with any Advisor who has not executed the NDA. GVSU may restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by GVSU's confidentiality expectations.

iv. Advisor Expectations

GVSU generally expects an Advisor to adjust their schedule to allow them to attend GVSU meetings, interviews or hearings when planned, but GVSU may change scheduled meetings/interviews/hearings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

GVSU may also make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting/interview/hearing by telephone, video conferencing, or other similar technologies.

All Advisors are subject to GVSU policies and procedures, whether they are attorneys or not, and whether they are selected by a party or appointed by GVSU. Advisors are expected to advise without disrupting proceedings.

v. Advisor Policy Violations

Any Advisor who oversteps their role as defined by the Policy, who shares information or evidence in a manner inconsistent with the Policy, or who violates the Policy or these procedures, will initially be warned. If the Advisor continues the conduct, the meeting, interview or hearing may be ended, or other appropriate measures implemented, including GVSU requiring the party to use a different Advisor or providing a different GVSU-appointed Advisor. Subsequently, the OCRTIX will determine how to address the Advisor's non-compliance and future role.

II. Potential Early Actions by OCRTIX

Following the Initial Evaluation, GVSU will determine next steps, including whether dismissal is appropriate and whether additional emergency or interim actions such as removal or leaves of absences are necessary.

A. Dismissal

The OCRTIX (or other appointed Decision-Maker) will dismiss a Complaint (or a portion thereof) if, at any time during the Initial Evaluation, Investigation or Resolution Process, one or more of the following grounds are met:

- 1) GVSU determines it does not have Jurisdiction as outlined in the Policy;
- 2) GVSU is unable to identify the Respondent or other sufficient evidence to reach a determination after taking reasonable steps to do so;
- 3) A Complainant voluntarily withdraws any or all of the allegations in the Complaint in writing, and the OCRTIX declines to initiate a Complaint on the withdrawn allegations;
- 4) GVSU determines the conduct alleged in the Complaint would not constitute a Policy violation, if proven.

A Complainant who decides to withdraw a Complaint may later request to reinstate or refile it.

GVSU will not dismiss a Complaint solely because the Respondent is no longer participating in GVSU's education program or activity and/or is no longer employed by GVSU.

Upon any dismissal, GVSU will promptly send the Complainant written notification of the dismissal and the rationale for doing so. If the dismissal occurs after the Respondent has been made aware of the allegations, GVSU will also notify the Respondent of the dismissal, simultaneously. GVSU will offer supportive measures to the Complainant or Respondent as appropriate and take any other necessary action in effort to ensure that discrimination does not continue or recur within GVSU's education programs or activities.

This dismissal decision is appealable by any party.

B. Appeal of Dismissal

The Complainant may appeal a dismissal of their Complaint. The Respondent may also appeal the dismissal of the Complaint if dismissal occurs after the Respondent has been made aware of the allegations. All dismissal appeal requests must be in writing and filed by email within three (3) business days of the notification of the dismissal.

The OCRTIX will notify the Parties of any appeal of the dismissal. If, however, the Complainant appeals, but the Respondent was not notified of the Complaint, the OCRTIX must then provide the Respondent with a Notice of Investigation and Allegation (NOIA) and will notify the Respondent of the Complainant's appeal with an opportunity to respond.

Throughout the dismissal appeal process, GVSU will:

- Implement dismissal appeal procedures equally for the Parties;
- Assign a trained Dismissal Appeal Officer who did not take part in an investigation of the allegations or dismissal of the Complaint;
- Provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the dismissal;
- Notify the Parties of the result of the appeal and the rationale for the result.

The grounds for dismissal appeals are limited to:

- 1) Procedural irregularity that would change the outcome;
- 2) New evidence that could affect the outcome and that was not reasonably available at the time the determination regarding responsibility was made.;
- 3) The OCRTIX had a conflict of interest or bias for or against complainants or respondents generally or the specific Complainant or Respondent that affected the outcome.

The appeal should specify at least one of the grounds above and provide any reasons or supporting evidence for why the ground is met. Upon receipt of a written dismissal appeal request from one or more Parties, the OCRTIX will share the petition with all other Parties and provide three (3) business days for other Parties and the OCRTIX to respond to the request. At the conclusion of the response period, the OCRTIX will forward the appeal, as well as any response provided by the other Parties and/or the OCRTIX to the Dismissal Appeal Officer for consideration.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the Dismissal Appeal Officer will deny the request, and the Parties, their Advisors, and the OCRTIX will be notified in writing of the denial and the rationale.

If any of the asserted grounds in the appeal satisfy the grounds described in this Policy, then the Dismissal Appeal Officer will notify all Parties and their Advisors, and the OCRTIX, of their decision and rationale in writing. The effect will be to reinstate the Complaint.

In most circumstances, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Dismissal Appeal Officer has seven (7) business days to review and decide on the appeal, though extensions can be granted if the OCRTIX determines it reasonable and necessary in light of the circumstances (good cause for the extension has been established), and the Parties will be notified of any extension.

Appeal decisions are deferential to the original determination, making changes only if there is a compelling justification to do so.

The Dismissal Appeal Officer may consult with the OCRTIX and/or legal counsel on questions of procedure or rationale for clarification, if needed. The OCRTIX will maintain documentation of all such consultation and will not be required to disclose confidential information.

C. Emergency Removal/Interim Suspension of Student

GVSU may remove or suspend a student accused of prohibited conduct under the Policy on an emergent basis during the Initial Evaluation, Investigation, or at any time during the Resolution Process. Prior to an emergency removal, GVSU will conduct a risk assessment and may remove the student if that assessment determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of prohibited conduct justifies such action.

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

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal or interim suspension is appropriate, should be modified, or lifted. When this meeting is not requested within two (2) business days, objections to the emergency removal or interim suspension will be deemed waived. A student can later request a meeting to show why they are no longer an imminent and

serious threat because conditions related to imminence or seriousness have changed. A Complainant and their Advisor may be permitted to participate in this meeting if it is objectively necessary for them to do so to ensure an equitable process.

The Respondent may provide information, including expert reports, witness statements, communications, or other documentation for consideration prior to or during the meeting. When applicable, a Complainant may provide information to the OCRTIX for review also.

An emergency removal or interim suspension may be affirmed, modified, or lifted as a result of a requested review or as new information becomes available. The OCRTIX will communicate the final decision in writing, typically within three (3) business days of the review meeting.

D. Placing an Employee on Leave

When the Respondent is an employee, or a student employee accused of misconduct in the course of their employment, existing provisions for interim action <https://www.gvsu.edu/policies/policy.htm?policyId=B7799A43-ECD1-6456-07E5B62873E449E7&search=suspension> are typically applicable instead of the above emergency removal process if investigation (including a preliminary investigation during initial evaluation) reveals a violation of policy.

Relevant procedures for unionized employee leave or suspension can be found in the respective union contracts: <https://www.gvsu.edu/hro/union-contracts-9.htm>.

III. Complaint Investigation

A. Investigator Appointment

Once an investigation is initiated, the OCRTIX appoints an Investigator(s) to conduct it. These Investigators may be members of the Resolution Process Pool, or any other properly trained Investigator, whether internal or external to GVSU's community.

B. Investigation Overview

All Formal Resolution process grievance procedures include Complaint investigations. Investigations are adequate, thorough, reliable, impartial, prompt, and fair. They involve interviewing all relevant Parties and witnesses, obtaining relevant evidence, and identifying sources of expert information, as necessary.

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

The Investigator(s) typically take(s) the following steps, if not already completed and not necessarily in this order:

- Determine the identity and contact information of the Complainant.
- Identify all offenses implicated by the alleged misconduct and notify the Complainant and Respondent of all specific policies implicated.
- Assist the OCRTIX, if needed, with conducting a prompt initial evaluation to determine if the allegations indicate a potential Policy violation.

- Work with the OCRTIX, as necessary, to prepare the initial NOIA. The NOIA may be amended with any additional or dismissed allegations.
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, and order of interviews for the Parties and witnesses.
- When participation of a party is expected, provide that party with written notification of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Interview the Complainant and the Respondent and conduct any necessary follow-up interviews with each.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Provide each Party an equal opportunity to inspect, review and comment on the evidence by providing electronic copies of the evidence and any summary of the evidence at least ten (10) days prior to finalizing the investigation report.
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of another party and/or witnesses. Document which requested questions were asked with a rationale for any changes or omissions in the investigation report.
- Where possible, complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide the Parties with regular status updates throughout the investigation.
- Prior to the conclusion of the investigation, provide the Parties and their respective Advisors with a list of witnesses whose information will be used to render a finding.
- Provide the Parties and their respective Advisors an electronic copy of the final investigation report that gathers, assesses, and synthesizes the evidence, accurately summarizes the investigation, and party and witness interviews, provides all relevant evidence, and considers all input submit by the parties during the review period, for their review and written response at least ten (10) days in advance of the live hearing.

The Investigator may share the investigation report with the OCRTIX and/or legal counsel for their review and feedback.

C. Notice of Investigation and Allegations (NOIA)

Prior to an investigation, the OCRTIX will provide the Parties with a detailed written NOIA. Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations. For climate culture investigations that do not have an identifiable Respondent, the NOIA will be sent to the department, office or program head for the area or program being investigated. The

NOIA typically includes:

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

- A statement that the Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence
- The name(s) of the Investigator(s), along with a process to notify the OCRTIX of any conflict of interest that the Investigator(s) may have in advance of the interview process
- A statement that GVSU presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination
- A statement that determinations of responsibility are made at the conclusion of the process and that the Parties will be given an opportunity during the review and comment period to inspect and review all relevant evidence, as well as to provide an impact or mitigation statement
- A statement that retaliation is prohibited
- Information about the confidentiality of the process, including that the Parties and their Advisors (if applicable) may not share GVSU work product obtained through the Resolution Process
- A statement that the Parties may have an Advisor of their choice who may accompany them through all steps of the Resolution Process
- A statement informing the Parties that GVSU's Policy prohibits knowingly making false statements, including knowingly submitting false information during the Resolution Process
- Detail on how a party may request disability accommodations or other support assistance during the Resolution Process
- Detail regarding each party's ability to initiate informal resolution where applicable and how a party may do so.
- A link to GVSU's VAWA Brochure
- An instruction to preserve any evidence that is directly related to the allegations
- A statement that Parties who are members of a union are entitled to union representation throughout the process

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the Parties' local or permanent address(es) as indicated in official GVSU records, or emailed to the Parties' GVSU-issued email or designated accounts. Once mailed, emailed, and/or received in person, the notification will be presumptively delivered.

D. Written Record of Interview

It is standard practice for Investigators to create a written record of all interviews pertaining to the Resolution Process. The Parties may review copies of their own interviews, upon request.

No unauthorized audio or video recording of any kind is permitted during investigation meetings. The summary of those meetings will be provided to the Parties for their review in the summary of evidence, after which the Parties may pose additional questions for the parties and/or witnesses and make additional comments to the investigator. Any subsequent discussions are also recorded in writing and shared with the Parties in the final investigation report.

E. Witness Role and Participation in the Investigation

Employees (not including Complainant and Respondent) are required to cooperate with and participate in GVSU's investigation and Resolution Process. Student witnesses and witnesses

from outside the GVSU community cannot be required to participate but are encouraged to cooperate with GVSU investigations and to share what they know about a Complaint.

Interviews may be conducted in person, via online video platforms (e.g., Zoom, Microsoft Teams, FaceTime, WebEx), or, in limited circumstances, by telephone. GVSU will take appropriate steps to ensure the security and privacy of remote interviews as well as reasonably confirm the identity of the interviewee where necessary.

Parties and witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate and necessary by the Investigator(s), as this is not preferred.

F. Evidentiary Considerations

The Investigator(s) and the Decision-Maker(s) will only consider evidence that is deemed relevant and not otherwise impermissible.

Relevant Evidence is that which may aid in determining whether the allegation occurred, or whether the behavior constitutes a violation of Policy.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by GVSU to determine whether one of the exceptions listed below applies. Such evidence will not be disclosed and will not otherwise be used, regardless of whether it is relevant:

- 1) Evidence that is protected under a privilege recognized by Federal or State law;
- 2) Evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- 3) A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless GVSU obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- 4) Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless a) evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct, or b) is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent. The fact of prior consensual sexual conduct occurred between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent or preclude a determination that sex-based harassment occurred.

Previous disciplinary action of any kind involving the Respondent may not be considered unless there is an allegation of a pattern of misconduct. Such information may also be considered in determining an appropriate sanction upon a determination of responsibility. Barring a pattern allegation, this information is only considered at the sanction stage of the process and is not shared until then.

Within the limitations stated above, the investigation and determination can consider character evidence, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

IV. Resolution Process

A. Resolution Options Overview

The GVSU Resolution Process, consisting of Informal Resolution or Formal Resolution (with hearing), is GVSU's chosen approach to addressing all forms of discrimination on the basis of protected characteristics, harassment, or other misconduct under the Policy. The process considers the Parties' preferences but is ultimately determined by the OCRTIX.

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

B. Resolution Timeline

GVSU will make a good faith effort to complete the Resolution Process within 60-90 business days, including any appeals, which the OCRTIX can extend as necessary for good cause. Good cause for limited extensions or temporary delays may include but are not limited to absence of a party, a party's advisor or a witness, concurrent law enforcement activity, University closings or semester breaks, informal resolution, or the need for language assistance or accommodation of disabilities. The Parties will receive regular updates on the progress of the Resolution Process, as well as notification and a rationale for any limited extensions or temporary delays, and an estimate of how much additional time will be needed to complete the process.

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take longer, depending on issues such as the nature, extent, and complexity of the allegations, witness availability, law enforcement involvement, and other factors.

If a party or witness chooses not to participate in the Resolution Process or becomes unresponsive, GVSU reserves the right to continue it without their participation to ensure a prompt resolution. Non-participatory or unresponsive Parties retain the rights outlined in this Policy and the opportunity to resume participation in the Resolution Process. However, if a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility.

C. Resolution Process Pool

The Resolution Process relies on a pool of administrators ("the Pool") to carry out the process.

i. Pool Member Roles

Members of the Pool are trained annually, and can serve in the following roles, as determined by the OCRTIX:

- Appropriate intake of and initial guidance pertaining to Complaints
- Advisor to Parties
- Informal Resolution Facilitator
- Perform or assist with initial evaluation
- Investigator
- Hearing Facilitator

- Decision-Maker for challenges to emergency removal and supportive measures
- Decision-Maker
- Appeal of Dismissal Decision-Maker
- Appeal Decision-Maker

ii. Pool Member Appointment

The OCRTIX, in consultation with senior administrators as necessary, appoints the Pool, which acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different Complaints, GVSU can also designate permanent roles for individuals in the Pool.

iii. Pool Member Training

Resolution Process Pool members receive annual training through the OCRTIX related to their respective roles.

D. Informal Resolution

To initiate Informal Resolution (if permitted), a Complainant or Respondent may make such a request to the OCRTIX at any time after filing a Complaint and prior to a final determination. The OCRTIX may offer the option for informal resolution to the Parties in writing at any time following the filing of a Complaint where appropriate. GVSU will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution.

If the case involves alleged sexual harassment, discrimination on the basis of sex, or other sexual misconduct under the Policy by an Employee against a student, including a student employee, Informal Resolution will not be permitted.

Before initiation of an Informal Resolution process, GVSU will provide the Parties with a Notice of Informal Resolution (NOIR) that explains:

- The allegations.
- The requirements of the Informal Resolution process.
- That, prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and to initiate or resume GVSU's Resolution Process.
- That the Parties' agreement to a resolution at the conclusion of the Informal Resolution Process will preclude the Parties from initiating or resuming the Resolution Process arising from the same allegations.
- The potential terms that may be requested or offered in an Informal Resolution agreement, including notification that an Informal Resolution agreement is binding only on the Parties.
- The consequences for participating in informal resolution, including what information GVSU will maintain, and whether and how GVSU could disclose such information gained during the informal resolution process for use in its Formal Resolution Process.

GVSU offers three categories of Informal Resolution:

- 1) **Educational Conversation.** When the OCRTIX can resolve the matter informally by having a conversation with the Respondent to discuss the Complainant's concerns and

institutional expectations or can accompany the Complainant in their desire to confront the conduct. When the process is resolved through Educational Conversation, the parties agree that OCRTIX will offer education and supportive measures only.

- 2) **Accepted Responsibility.** When the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) and GVSU are agreeable to the resolution terms.
- 3) **Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism (which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.), as described below.

The individual facilitating an Informal Resolution must be trained and cannot be the Investigator, Decision-Maker, or Appeal Decision-Maker.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Resolution (Grievance Procedures). Any party participating in Informal Resolution can withdraw from the Informal Resolution Process at any time prior to an agreement being reached and initiate or resume the Formal Resolution Process.

The Parties may agree, as a condition of engaging in Informal Resolution, on what statements made or evidence shared during the Informal Resolution process will not be considered in the Formal Resolution Process, should Informal Resolution not be successful.

If an investigation is already underway, the OCRTIX has discretion to determine if an investigation will be paused, if it will be limited, or if it will continue during the Informal Resolution process.

E. Types of Informal Resolution

i. Educational Conversation

The Complainant(s) may request that the OCRTIX address their allegations by meeting (with or without the Complainant) with the Respondent(s) to discuss concerning behavior and institutional policies and expectations. Such a conversation is non-disciplinary and non-punitive. Respondent(s) are not required to attend such meetings, nor are they compelled to provide any information if they attend. OCRTIX will also determine reasonable supportive measures that are designed to restore or preserve the Complainant's access to GVSU's education program and activity. Such measures can be modified as the Complainant's needs evolve over time or circumstances change. If the Respondent has received a NOIA or NOIR, the OCRTIX may also provide reasonable supportive measures for the Respondent as deemed appropriate. The educational conversation and offer of supportive measures will be documented as the Informal Resolution for the matter. In light of the conversation, or the Respondent's decision not to attend, the OCRTIX may also implement remedial actions to ensure that policies and expectations are clear and to minimize the risk of the recurrence of any behaviors that may not align with Policy.

ii. Accepted Responsibility

The Respondent may accept responsibility for any or all of the alleged Policy violations at any point during the Resolution Process. If the Respondent indicates

an intent to accept responsibility for all alleged Policy violations, the ongoing process will be paused, and the OCRTIX will determine whether Informal Resolution is an option.

If Informal Resolution is available, the OCRTIX will determine whether all Parties and GVSU are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. If so, the OCRTIX implements the accepted finding that the Respondent is in violation of GVSU Policy, implements agreed-upon restrictions and remedies, and determines the appropriate responses in coordination with other appropriate administrator(s), as necessary.

This resolution is not subject to appeal once all Parties indicate their written agreement to all resolution terms. When the Parties cannot agree on all terms of resolution, the Resolution Process will continue.

When a resolution is reached, the appropriate sanction(s) or responsive actions are promptly implemented in effort to effectively stop the discrimination, harassment, or misconduct and prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

iii. Alternative Resolution

The institution offers a variety of alternative resolution mechanisms to best meet the specific needs of the Parties and the nature of the allegations. Alternative resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent(s); indirect action by the OCRTIX or other appropriate GVSU officials; and other forms of resolution that can be tailored to the needs of the Parties. Some alternative resolution mechanisms will result in an agreed-upon outcome, while others are resolved through dialogue. All Parties must consent to the use of an alternative resolution approach, and the Parties may, but are not required to, have direct or indirect contact during an alternative resolution process.

The OCRTIX may consider the following factors to assess whether alternative resolution is appropriate, or which form of alternative resolution may be most successful for the Parties:

- The Parties' amenability to alternative resolution
- Likelihood of potential resolution, considering any power dynamics between the Parties
- The nature and severity of the alleged misconduct
- The Parties' motivation to participate
- Civility of the Parties
- Results of a risk assessment/ongoing risk analysis
- Respondent's disciplinary history
- Whether an emergency removal or other interim action is needed
- Skill of the alternative resolution facilitator with this type of Complaint
- Complaint complexity
- Emotional investment/capability of the Parties
- Rationality of the Parties

- Goals of the Parties
- Adequate resources to invest in alternative resolution (e.g., time, staff)

The OCRTIX has the authority to determine whether alternative resolution is available or successful, to facilitate a resolution that is acceptable to all Parties, and/or to accept the Parties' proposed resolution, usually through their Advisors, often including terms of confidentiality, release, and non-disparagement.

Parties do not have the authority to stipulate restrictions or obligations for individuals or groups that are not involved in the alternative resolution process. The OCRTIX will determine whether additional individual or community remedies are necessary to meet the institution's compliance obligations in addition to the alternative resolution.

The OCRTIX maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive or disciplinary actions (e.g., dissolution of the agreement and resumption of the Resolution Process, referral to the conduct process for failure to comply, application of the enforcement terms of the agreement). The results of Complaints resolved by alternative resolution are not appealable.

If an Informal Resolution option is not available or selected, GVSU will initiate or continue an investigation and subsequent Resolution Process to determine whether the Policy has been violated.

F. Pre-Hearing Meetings

If the Resolution Process continues to Formal Resolution, the Decision-Maker will offer to convene a pre-hearing meeting(s) with the Parties and their Advisors and invite them to submit the questions or topics they wish to ask or discuss at the Hearing. This allows the Decision-Maker to consider relevance ahead of time to avoid any improper evidentiary introduction in the hearing or to provide recommendations for more appropriate phrasing.

However, this advance review opportunity does not preclude the Parties from submitting a question at the hearing for the first time or asking for a reconsideration on a Decision-Maker's pre-hearing decision based on any new information or testimony offered at the hearing. The Decision-Maker will document and share their rationale for any evidence or question exclusion or inclusion, if any, at a pre-hearing meeting with each party.

The Decision-Maker will work with the Parties to finalize a witness list for the hearing, and the OCRTIX will notify any witnesses of the hearing's logistics. The Decision-Maker, only with the agreement of all Parties in writing, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the Final Investigation Report or during the hearing, and their presence is not essential to assess their credibility.

Pre-hearing meeting(s) will not be recorded. The pre-hearing meetings will typically be conducted as separate meetings with each party and/or Advisor, and can be done remotely, or as a written communication exchange. The Decision-Maker will work with the Parties to

establish the format and timing of the meetings and will circulate a summary of any rulings made to ensure all Parties and Advisors are aware.

G. Formal Resolution Hearing Process (Grievance Procedures)

i. Hearing Notice

The OCRTIX will send the Parties a Notice of Hearing with sufficient time for the Parties to prepare for the hearing, typically at least seven (7) business days prior to the hearing.

Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The hearing notice includes:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result;
- The time, date, and location of the hearing;
- A description of any technology that will be used to facilitate the hearing;
- Relevant information regarding hearing logistics, pre-hearing meetings, the Final Investigation Report, the Parties and potential witnesses participating in the hearing, the identity of the Decision-Maker, details related to questioning, the role of Advisors, and how to request disability accommodations or other assistance;
- Notice that the Party must advise OCRTIX at least three (3) days prior to the hearing whether they will appear in person or virtually at the hearing, whether they will need an interpreter at the hearing; and
- Notice that the Party must provide any Impact or Mitigation Statement at least 24 hours in advance of the hearing.

ii. Introductions and Hearing Procedure Explanation

The Decision-Maker will explain the hearing procedures and introduce the participants. The Decision-Maker will answer any procedural questions prior to and as they arise throughout the hearing.

iii. Presentation of Final Investigation Report

The Decision-Maker will present a summary of the Final Investigation Report, including a review of the facts that are contested and those that are not. If requested to be called as a witness, the Investigator may be questioned first by the Decision-Maker and then by the Parties. The Investigator may attend the duration of the hearing or be excused after their testimony as determined by the Decision-Maker.

iv. Live Hearing Requirements

The following provisions apply to a live hearing:

- **Hearing Venue Options and Recordings.** Participants in the live hearing may appear in person or via video technology. Regardless of participant location, the hearing will be conducted via video technology. The Decision-Maker

and Parties must be able to simultaneously see and hear a party or witness while that person is speaking.

- Parties who choose to appear at the hearing in person or via video technology, must notify OCRTIX of their intention to do so at least three (3) business days prior to the hearing.
- All hearings will be recorded, and Parties may request a copy of the recording from the OCRTIX following the live hearing.
- No unauthorized recordings are permitted.
- **Hearing Participants.** Persons who may be present for a hearing include the Decision-Maker(s), hearing facilitator, Investigator(s), the Parties and their Advisors, anyone providing authorized accommodations, interpretation, and/or assistive services, and anyone else deemed necessary by the Decision-Maker. Witnesses are present only during their portion of the testimony.
- **Advisors.** The Parties may have the assistance of an Advisor of their choosing at the hearing or can request that GVSU appoint a trained Advisor for them. Appointed Advisors are not attorneys. If a party wishes to have an attorney as their Advisor, they must locate and pay for that attorney themselves. If a party decides not to have an Advisor, they will forfeit the option of asking questions at the hearing.
 - During the pre-hearing meeting and live hearing, Parties may only be accompanied by their Advisor(s). No other persons (e.g., additional support persons, advisors, friends, family) may accompany, attend, or listen in on the hearing unless explicitly authorized by the OCRTIX, with each party being provided the same opportunity.
 - Parties and Advisors are permitted to have their phones and a laptop or tablet, but these should only be used during the hearing in a manner consistent with Policy.
 - During the hearing, all questions that a party wishes to ask must be posed by the Advisor, not the Parties where applicable.
 - If the party does not have an Advisor, the OCRTIX will provide the party with an Advisor for the purpose of Advisor-conducted questioning.
- **Disability Accommodations and Other Assistance.** Parties should contact the OCRTIX at least seven (7) business days prior to the hearing to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, if possible.
- **Conflicts of Interest or Bias.** The Decision-Maker must not have a bias for or against complainants or respondents generally or the individual Complainant or Respondent in particular. The OCRTIX conducts conflict of interest checks in advance of assigning a Decision-Maker.
 - The Decision-Maker must recuse themselves if such bias or conflict of interest exists.
 - If the Decision-Maker believes there is possible conflict of interest or bias, they will consult with the OCRTIX about possible recusal or removal.
 - The Parties may raise challenges that the Decision-Maker is biased or has a conflict of interest. The Parties must raise challenges with the OCRTIX within two (2) business days of receiving the hearing notice.
 - The OCRTIX will only remove and replace a Decision-Maker in situations of demonstrated bias or conflicts of interest. Perceptions of bias or conflict are not sufficient to cause removal.

- If a Decision-Maker recuses themselves as the result of a conflict of interest or bias, or is removed, the OCRTIX will promptly appoint a new Decision-Maker who does not have a conflict of interest or bias and notify the Parties accordingly.
- **Evidence Provided to Decision-Maker and Parties.**
 - The Decision-Maker will be provided electronic copies of the Final Investigation Report and all relevant but not impermissible evidence, including the names of all Parties, witnesses, and Advisors, at least seven (7) business days in advance of the hearing.
 - The Parties will be provided with electronic copies of all the materials provided to the Decision-Maker as part of the hearing notice, unless those materials have already been provided to them. Hard-copy materials may be provided upon request to the Coordinator. The Final Investigation Report and relevant evidence may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

v. *Hearing Recordings*

GVSU records hearings (but not deliberations) for purposes of review in the event of an appeal. No unauthorized audio or video recording of any kind is permitted during the hearing.

The Decision-Maker, the Parties, their Advisors, Appeal Decision-Makers, and other appropriate GVSU officials will be permitted to review the recording or review a transcript of the recording upon request to the OCRTIX. No unauthorized disclosure, including sharing, copying, or distribution of the recording or transcript, is permitted.

vi. *Testimony and Questioning*

The Parties and witnesses may provide relevant information in turn, beginning with the Complainant's opening statement, then the Respondent's, and then questioning in the order determined by the Decision-Maker. The Decision-Maker will facilitate questioning of the Parties and witnesses first by the Decision-Maker and then by the Parties through their Advisors.

Questions that the Parties wish to have posed can be questions for that party themselves, another party, or witnesses.

The Decision-Maker will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Decision-Maker will limit or disallow questions deemed not appropriate on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), seek or pertain to impermissible evidence, or are abusive. The Decision-Maker has final say on all questions and determinations of relevance and appropriateness. The Decision-Maker may consult with legal counsel on any questions of admissibility.

If the Parties raise an issue of bias or conflict of interest of an Investigator or Decision-Maker at the hearing, the Decision-Maker may elect to address those issues, consult with legal counsel, refer them to the OCRTIX, and/or preserve them

for appeal. If bias is not an issue at the hearing, the Decision-Maker should not permit irrelevant questions that probe for Investigator bias.

The Decision-Maker will allow witnesses who have relevant and not impermissible information to appear at a portion of the hearing to respond to specific questions from the Decision-Maker and the Parties, and the witnesses will then be excused.

vii. Refusal to Submit to Questioning or Supply Evidence and Inferences

Any party or student witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. However, if a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility. Employee witnesses are required to participate in the hearing if they are reasonably available. The Decision-Maker can only rely on the available relevant and not impermissible evidence in making the ultimate determination of responsibility. The Decision-Maker may not draw any inference **solely** from a party's or witness's absence from the hearing or refusal to answer any or all questions or provide evidence.

An Advisor may not be called as a witness at a hearing to testify to what their advisee has told them during their role as an Advisor unless the party being advised consents to that information being shared.

viii. Witness Participation

Student witnesses are encouraged to participate in, and make themselves reasonably available for, the hearing. Employee witnesses are required to participate in, and make themselves reasonably available for, the hearing. Witnesses may participate in-person or via video technology that allows the Decision-Maker and the Parties to see and hear the witness while that person is speaking. Witnesses (other than the Parties) are not permitted to be accompanied by an Advisor. A witness may join by phone if no other reasonable alternative is available as determined by the Decision-Maker.

If any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. However, if a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility. For compelling reasons, the OCRTIX may reschedule the hearing to accommodate witness availability.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term, including during the summer, as needed, to meet GVSU's resolution timeline and ensure a prompt resolution. Employees, including Parties and witnesses, who do not have 12-month contracts are still expected to participate in Resolution Processes that occur during months between contracts.

The OCRTIX will notify all witnesses of their requested participation in the hearing at least five (5) business days prior to the hearing. Witnesses will be present for the hearing only during their testimony.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s), unless:

- All Parties and the Decision-Maker assent to the new witness's participation in the hearing without remanding the complaint back to the investigator, and
- The Decision-Maker deems the evidence presented by the new witness to be relevant, not impermissible, and not information already established in the record, and
- The witness's late involvement was not the result of bad faith by the witness, the Parties, or others.

If the above criteria are not met, but the witness's evidence is deemed relevant, not impermissible, and not duplicative, the Decision-Maker may, as deemed reasonable, engage in any of the following actions:

- Delay the hearing.
- Provide the Parties at least five (5) business days to review the relevant portions of the new witness's statements, if such statements are submitted.
- Remand the Complaint back to the Investigator for further investigation or verification.
- Allow the Parties to review and comment on the testimony of the new witness.

If the evidence is deemed not relevant or impermissible, the Decision-Maker may proceed with the hearing absent the new witness's participation.

ix. Evidentiary Considerations

The Parties must provide all evidence to the Investigator(s) prior to completing the Final Investigation Report.

Evidence offered after that time will be evaluated by the Decision-Maker for relevance.

If the new evidence is deemed relevant and not impermissible, the new evidence will be admitted to the record if:

- All Parties and the Decision-Maker assent to the new evidence being included in the hearing without remanding the Complaint back to the investigator, and
- The evidence is not duplicative of evidence already in the record, and
- It is not impermissible, and
- The new evidence was either not reasonably available prior to the conclusion of the Final Investigation Report, or the failure to provide it in a timely manner was not the result of bad faith by the Parties, witnesses, or others.

If the above criteria are not met, but the evidence is deemed materially relevant and not duplicative, the Decision-Maker may, as deemed reasonable, engage in any of the following actions:

- Delay the hearing.
- Provide the Parties with at least five (5) business days to review the relevant evidence.
- Remand the Complaint back to the Investigator for further investigation or analysis.
- Allow the Parties to review and comment on the new evidence.

If the evidence is deemed not relevant or impermissible, the Decision-Maker may proceed with the hearing without allowing the new evidence.

x. Joint Hearings

In Complaints involving more than one Respondent and/or involving more than one Complainant accusing the same person of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the OCRTIX may permit the investigation and/or hearings pertinent to each Respondent or Complainant to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent and/or for each Complainant with respect to each alleged Policy violation.

xi. Collateral Misconduct

Collateral misconduct is defined to include potential violations of other GVSU policies not incorporated into the Policy that occur in conjunction with alleged violations of the Policy, or that arise through the course of the investigation, for which it makes sense to provide one resolution for all allegations. Thus, the collateral allegations may be charged along with potential violations of the Policy, to be resolved jointly under these Procedures. In such circumstances, the OCRTIX may consult with GVSU officials who typically oversee such conduct (e.g., human resources, student conduct, academic affairs) to solicit their input as needed on what, if any, charges should be filed, but the exercise of collateral charges under these procedures is determined by the OCRTIX. All other allegations of misconduct unrelated to incidents covered by the Policy will typically be addressed separately through procedures described in the student, faculty, and/or staff handbooks.

H. Recordkeeping

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

- 1) Each discrimination, harassment, and retaliation resolution process, including any Final Determination regarding responsibility or appeal, and any audio or audiovisual recording or transcript required under federal regulation.
- 2) Any disciplinary sanctions imposed on the Respondent.
- 3) Any supportive measures provided to the Parties and any remedies provided to the Complainant or the community designed to restore or preserve equal access to GVSU's education program or activity.
- 4) Any appeal and the result therefrom.
- 5) Any Informal Resolution and the result therefrom.

- 6) All materials used to provide training to the OCRTIX, OCRTIX and designees, Investigators, Decision-Makers, Appeal Decision-Makers, Informal Resolution Facilitators, and any person who is responsible for implementing GVSU's Resolution Process, or who has the authority to modify or terminate supportive measures. GVSU will make these training materials available for review upon request.
- 7) All materials used to train all employees consistent with the requirements in the Title IX Regulations.

GVSU will also maintain any and all records in accordance with federal and state laws.

I. Ensuring Impartiality

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

The OCRTIX will vet the assigned Investigator(s), Decision-Maker(s), and Appeal Decision-Makers for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Resolution Process, the Parties may raise a concern regarding bias or conflict of interest, and the OCRTIX will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned, and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the OCRTIX, concerns should be raised with the Vice President for People, Culture, and Equity.

The Resolution Process involves an objective evaluation of all available relevant and not otherwise impermissible evidence, including evidence that supports that the Respondent engaged in a Policy violation and evidence that supports that the Respondent did not engage in a Policy violation. Credibility determinations may not be based on an individual's status or participation as a Complainant, Respondent, or witness. All Parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence, and to receive a written investigation report that accurately summarizes this evidence.

J. Accommodations and Support During the Resolution Process

i. Disability Accommodations

GVSU is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure all are able to participate in GVSU's Resolution Process.

Anyone needing such accommodations or support should contact the OCRTIX, who will work with Student Accessibility Resources as appropriate to review the request and, in consultation with the person requesting the accommodation, determine which accommodations are appropriate and necessary for full process participation.

ii. Other Support

GVSU will also address reasonable requests for support for the Parties and witnesses, including:

- Language services/Interpreters

- Access and training regarding use of technology throughout the Resolution Process
- Other support as objectively deemed reasonable and necessary to allow participation in the Resolution Process.

V. Deliberation and Determination

After closing statements from the Parties, the Decision-Maker will deliberate in closed session to determine whether the Respondent is responsible for the alleged Policy violation(s) based on the standard of proof. If a panel is used, a simple majority vote is required to determine the finding. Deliberations are not recorded.

When there is a finding of responsibility for one or more of the allegations, the Decision-Maker may then consider any previously submitted impact and/or mitigation statement(s) provided by the Parties in determining appropriate sanction(s). The OCRTIX will ensure that any submitted statements are exchanged between the Parties if they are viewed by the Decision-Maker. Impact/mitigation statements do not influence the finding, they only potentially influence the sanctions. For more information regarding impact/mitigation statements, refer to the Potential Outcomes section below.

The Decision-Maker will then prepare and provide the OCRTIX with a written outcome letter detailing all findings and final determinations, the rationale(s) explaining the decision(s), the relevant and not impermissible evidence used in support of the determination(s), the evidence not relied upon in the determination(s), any credibility assessments, and any sanction(s) and rationales explaining the sanction(s).

This outcome letter will be submitted to the OCRTIX within ten (10) business days from the conclusion of the hearing, unless the OCRTIX grants an extension. The OCRTIX will notify the Parties of any extension.

A. Withdrawal or Resignation Before Complaint Resolution

i. Students

Should a student Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If a student Respondent withdraws from GVSU, the Resolution Process may continue, or the OCRTIX will conduct a risk assessment to determine whether to dismiss the Complaint. If the Complaint is dismissed, OCRTIX will still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or misconduct.

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

When a student withdraws or leaves while the process is pending, the student may not return to GVSU in any capacity until the Complaint is resolved and any sanctions

imposed are satisfied. The Registrar, Office of Admissions, and HR will be notified, accordingly.

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

ii. Employees

Should an employee Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If an employee Respondent leaves their employment with GVSU with unresolved allegations pending, the Resolution Process may continue, or the OCRTIX may dismiss the Complaint after conducting an appropriate risk assessment. If the Complaint is dismissed, the OCRTIX may still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged discrimination, harassment, and/or misconduct.

When an employee resigns and the Complaint must be dismissed due to impossibility of completion caused by the Respondent employee's failure to cooperate, the employee may not return to GVSU in any capacity. The Registrar, Office of Admissions, and HR will be notified, accordingly. A note will be placed in the employee's file that they resigned with allegations pending and are not eligible for academic admission or rehire with GVSU. The records retained by the OCRTIX will reflect that status.

B. Potential Outcomes

Prior to determining outcomes, the Decision-Maker will review any submitted Impact/Mitigation statement presented by the parties. These statements allow the parties to share information regarding how the reported misconduct or resolution process has impacted them and/or how a particular sanction might impact them. Although these statements do not affect the determination of a finding of responsibility, they may be helpful to the Decision-Maker when deciding sanctions. When the OCRTIX shares the impact statements with the Decision-Maker, they will also be shared with the Parties.

Part of the resolution as determined by the Decision-Maker, may include Dismissal, Emergency Removal, Interim Suspension, Employee Leave or Procedures which follow a Respondent Admitting Responsibility, which are governed by and handled in accordance with the applicable provisions of these Procedures and the Policy.

Outcomes may also include:

i. Sanction Considerations

Factors the Decision-Maker may consider when determining sanctions and responsive actions include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history

- The need for sanctions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions to prevent the future recurrence of discrimination, harassment, and/or misconduct
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the Parties
- The Respondent's acceptance of responsibility
- Any other information deemed relevant by the Decision-Maker(s)

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

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

ii. *Student Sanctions*

The following are the common sanctions that may be imposed upon students singly or in combination:

- *Reprimand*: A formal statement that the conduct was unacceptable and a warning that further violation of any GVSU policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling*: A mandate to meet with and engage in either GVSU-sponsored (University Counseling Center) or external counseling to better comprehend the misconduct and its effects.
- *Restrictions*: A student may be restricted in their activities, including, but not limited to, being restricted from locations, programs, participation in certain activities or extracurriculars, study abroad, or holding leadership roles in student organizations. This may include restrictions on returning to GVSU for students who graduate.
- *Probation*: An official sanction for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from extra-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension*: Separation from the institution, or one or more of its facilities, for a defined period of time, typically not to exceed two (2) years, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension, on successfully applying for readmission, or upon a general condition that the student is eligible to return if the institution determines it is appropriate to re-enroll/readmit the student. The student is typically required to vacate institutional property within 24 hours of notification of the action, though this deadline may be extended by the OCRTIX or other appropriate official. During an institution-wide suspension, the student is banned from institutional property, functions, events, and activities unless

they receive prior written approval from an appropriate institutional official. This sanction may be enforced with a trespass action, as necessary.

- *Expulsion and Banning:* Permanent separation from the institution. The student is banned from institutional property, and the student's presence at any institution-sponsored activity or event is prohibited. This action may be enforced with a trespass action, as necessary. This may include banning a graduated student from returning to GVSU.
- *Withholding Diploma:* GVSU may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating Policy.

Other Actions: In addition to, or in place of, the above sanctions, GVSU may assign any other sanctions as deemed appropriate.

iii. Student Group and Organization Sanctions

The following are the common sanctions that may be imposed upon student groups or organizations singly or in combination:

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any GVSU policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Probation:* An official sanction for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the group or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social and event privileges, denial of GVSU funds, ineligibility for honors and awards, restrictions on new member recruitment, no-contact orders, and/or other measures deemed appropriate.
- *Suspension:* Termination of student group or organization recognition and/or institutional support for a defined period of time not to exceed two (2) years and/or until specific criteria are met. During the suspension period, a student group or organization may not conduct any formal or informal business or participate in GVSU-related activities, whether they occur on- or off-campus. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from GVSU.
- *Expulsion:* Permanent termination of student group organization recognition and revocation of the privilege to congregate and conduct business on campus as an organization for any reason. • *Loss of Privileges:* Restricted from accessing specific GVSU privileges for a specified period of time.

Other Actions: In addition to or in place of the above sanctions, GVSU may assign any other sanctions as deemed appropriate.

iv. Employee Sanctions/Responsive/Corrective Actions

Possible outcomes for an employee who has engaged in discrimination, harassment, and/or misconduct include:

- Verbal or Written Warning

- Performance Improvement Plan/Management Process
- Enhanced Supervision, Observation, or Review
- Required Counseling
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Shift or schedule adjustments
- Reassignment
- Delay of (or referral for delay of) Tenure Track Progress
- Assignment to a New Supervisor
- Restriction of Stipends, Research, and/or Professional Development Resources
- Suspension/Administrative Leave with Pay
- Suspension/Administrative Leave without Pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions, GVSU may assign any other actions as deemed appropriate.

C. Notice of Outcome

Within seven (7) business days of the conclusion of the Resolution Process (for Formal Resolution, within seven (7) business days of receipt of the outcome letter from the Decision-Maker), the OCRTIX provides the Parties with a written outcome notification. The outcome notification will specify the finding for each alleged Policy violation, all applicable sanctions that GVSU is permitted to share pursuant to state or federal law, and a detailed rationale, written by the Decision-Maker, supporting the findings to the extent GVSU is permitted to share under federal or state law.

The notification will include access to a video recording and/or transcript of the hearing at which the finding of responsibility occurred. The notification will also detail the Parties' equal rights to appeal, the grounds for appeal, the steps to request an appeal, and when the determination is considered final if no party appeals.

The OCRTIX will provide the Parties with the outcome notification simultaneously, or without significant time delay between notifications. The written outcome notification may be delivered by one or more of the following methods: in person, mailed to the Parties' local or permanent address as indicated in official GVSU records, or emailed to the Parties' GVSU-issued or designated email account. Once mailed, emailed, and/or received in person, the outcome notification is presumptively delivered.

VI. Appeal of the Determination

The OCRTIX will designate an Appeal Decision-Maker – either a three-member panel, an individual chosen from the Pool, or other trained internal or external individuals, to hear the appeal. No Appeal Decision-Maker(s) will have been previously involved in the Resolution Process for the Complaint, including in any supportive measure challenge or dismissal appeal that may have been decided earlier in the process. If a panel is used, a voting chair will be designated by the OCRTIX.

A. Appeal Grounds

Appeals are limited to the following grounds:

- 1) A procedural irregularity that affected the outcome.
- 2) New evidence that could affect the outcome and that was not reasonably available at the time the determination regarding responsibility was made.
- 3) The OCRTIX, Investigator(s), or Decision-Maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the specific Complainant or Respondent that affected the outcome.
- 4) The Final Determination by the Decision-Maker is substantially contrary to the weight of the evidence in the record (applicable to sanctions of suspension, expulsion, or termination, only).

B. Request for Appeal

Any party may submit a written request for appeal ("Request for Appeal") to the OCRTIX within three (3) business days of the delivery of the Notice of Outcome. All individuals involved in the Resolution Process must retain all relevant notes generated during the process until the closure of the appeal window or delivery of the Notice of Appeal Outcome letter, whichever is later.

The Request for Appeal will be forwarded to the Appeal Decision-Maker for consideration to determine if the request meets the grounds for appeal (a review for standing). This is not a review of the merits of the appeal, but solely a determination as to whether the request could reasonably be construed to meet the grounds and is timely filed.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the request will be denied by the Appeal Decision-Maker, and the appealing party and their Advisor(s) will be simultaneously notified in writing of the denial and the rationale.

If any of the information in the Request for Appeal meets the grounds in this Policy, then the Appeal Decision-Maker will notify all Parties and their Advisors, the OCRTIX, and, when appropriate, the Investigator(s) and/or the original Decision-Maker.

All other Parties and their Advisors, the OCRTIX, and, when appropriate, the Investigator(s) and/or the Decision-Maker will be provided a copy of the Request for Appeal with the approved grounds and then be given three (3) business days to submit a response to the portion of the appeal that was approved and involves them. The Appeal Decision-Maker will forward all responses, if any, to all Parties for review and comment.

The non-appealing party (if any) may also choose to appeal at this time. If so, that Request for Appeal will be reviewed by the Appeal Decision-Maker to determine if it meets the grounds in this Policy and will either be approved or denied. If approved, it will be forwarded to the party who initially requested an appeal, the OCRTIX, and the Investigator(s) and/or original Decision-Maker, as necessary, who will submit their responses, if any, within three (3) business days. Any such responses will be circulated for review and comment by all Parties. If denied, the Parties and their Advisors will be notified accordingly, in writing.

No party may submit any new Requests for Appeal after this time period. The Appeal Decision-Maker will collect any additional information needed and all documentation regarding the

approved appeal grounds, and the subsequent responses will be shared with the Appeal Decision-Maker, who will promptly render a decision.

C. Appeal Determination Process

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

Appeal decisions are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so. When the Decision-Maker is a panel, all decisions are made by majority vote and apply the preponderance of the evidence standard of proof.

An appeal is not an opportunity for the Appeal Decision-Makers to substitute their judgment for that of the original Decision-Maker merely because they disagree with the finding and/or sanction(s).

The Appeal Decision-Maker may consult with the OCRTIX and/or legal counsel on questions of procedure or rationale, for clarification, if needed. The OCRTIX will maintain documentation of all such consultation.

D. Appeal Outcome

An appeal may be granted or denied. Appeals that are granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-Maker with corrective instructions for reconsideration. In rare circumstances where an error cannot be cured by the original Investigator(s) and/or Decision-Maker or the OCRTIX (as in cases of bias), the Appeal Decision-Maker may order a new investigation and/or a new determination with new Pool members serving in the Investigator and Decision-Maker roles.

A Notice of Appeal Outcome letter ("Appeal Outcome") will be sent to all Parties simultaneously, or without significant time delay between notifications. The Appeal Outcome will specify the finding on each appeal ground, any specific instructions for remand or reconsideration, all sanction(s) that may result which GVSU is permitted to share according to federal or state law, and the rationale supporting the essential findings to the extent GVSU is permitted to share under federal or state law.

Written notification may be delivered by one or more of the following methods: in person, mailed to the Parties' local or permanent address as indicated in official institutional records, or emailed to the Parties' GVSU-issued email or otherwise approved account. Once mailed, emailed, and/or received in person, the Appeal Outcome will be presumptively delivered.

Once an appeal is decided, the outcome is final and constitutes the Final Determination; further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new determination). When appeals result in no change to the finding or sanction, that decision is final.

When an appeal results in a new finding or sanction following a reconsideration, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.

If a remand results in a new investigation and or new determination, that then has an outcome that is different from the originally appealed determination, that new determination can be appealed, once, on the grounds listed above and in accordance with these procedures.

E. Sanction Status During the Appeal

Unless otherwise approved by the OCRTIX, any sanctions imposed or responsive actions taken as a result of the determination are stayed (i.e., not implemented) during the appeal process, and supportive measures may be maintained or reinstated until the appeal determination is made.

If any of the sanctions are to be implemented immediately post-determination, but pre-appeal, then the emergency removal procedures (detailed above) for a “show cause” meeting on the justification for doing so must be permitted within two (2) business days of implementation.

VI. Long-Term Remedies/Other Actions

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented or Informal Resolution terms, the OCRTIX may implement additional long-term remedies or actions with respect to the Parties and/or GVSU community that are intended to stop the discrimination, harassment, and/or misconduct, remedy the effects, and prevent recurrence. The Title IX Coordinator is responsible for effective implementation of any remedial action.

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

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

As determined by the OCRTIX, certain long-term supportive measures may also be provided to the Parties even if no Policy violation is found.

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

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

VII. Failure to Comply with Sanctions, Responsive Actions, and/or Informal Resolution Terms

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

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

Supervisors are expected to enforce the completion of sanctions/responsive actions for their employees, if instructed by OCRTIX to do so.

A suspension imposed for non-compliance with sanctions will only be lifted when compliance is achieved as determined by the OCRTIX.

VIII. Revision of these Procedures

These procedures succeed any previous procedures addressing discrimination, harassment, and misconduct for incidents occurring on or after September 6, 2024. The OCRTIX will regularly review and update these procedures. GVSU reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

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

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

These procedures are retroactively effective 09-06-2024, based on guidance from the Department of Education dated February 04, 2025.

Notice to the Public and Victims of Violent Crimes

Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services or is a student.

In the State of Michigan, convicted sex offenders must register with the police department that has jurisdiction over the location of their residence. You can link to this information by accessing Offender Watch on the Michigan Public Sex Offender website at: <https://mspsor.com/>

Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Access Policies and Procedures

Residential Facilities

Grand Valley State University provides on-campus University housing for approximately 320 students on the Robert C Pew Grand Rapids Campus. Students and designated employees have access to residential facilities. Students may have guests visit in their room or apartment, provided they have made specific arrangements with their roommate(s) and have received their permission.

Any guests must observe all University regulations and must be accompanied by their host at all times. The student with whom the guest is visiting is responsible for any infractions or damage caused by their guest. Guests may also be asked to leave the community if their behavior is inappropriate. See the guest policy at <https://services.gvsu.edu/TDClient/60/Portal/KB/ArticleDet?ID=5477> or contact the [Office of Housing and Residence Life](#) at (616) 331-2120 with questions about access to University housing facilities. Residential building access is typically limited to building residents and their authorized guests.

Other University Facilities

Normal operating hours for University buildings vary and are dependent upon the type of facility, academic calendar, class schedule, meetings, special events, time of year, and location. Public spaces within these buildings are open during normal operating hours to GVSU students, faculty, staff, and visitors. The Grand Valley Police Department and Grand Valley Security staff are responsible for providing routine patrol of University property at the Grand Rapids Campuses. Officers are not typically assigned a specific facility to monitor on the Pew Grand Rapids Campus.

Contact the Department of Public Safety with questions about access protocol for the facilities on the Pew Grand Rapids Campus at (616) 331-3255.

Security of Residential Campus Facilities

The Robert C Pew Grand Rapids Campus offers apartment-style living centers only. Exterior doors to the living centers are always locked. Residents are responsible for ensuring their individual room doors are locked.

The University Central Housing Office is located in suite 300 of Holton-Hooker Living and Learning Center on the Allendale Campus. Housing maintains a front desk at Winter Hall in the main entrance lobby for the Pew Grand Rapids Campus housing units.

Patrol Officers are routinely seen in the living center areas, responding to calls for service or engaging with the student community. Officers will be seen in marked police vehicles, on foot, and on bicycles. Housing's Resident Assistants routinely do rounds in their assigned areas.

Special security procedures are in effect during low-occupancy periods. Students staying in on-campus housing over Thanksgiving, winter holiday, and spring break periods must register with a Housing and Residence Life staff member. (For more information on housing security, refer to www.gvsu.edu/housing/.)

Security Considerations in the Maintenance of Campus Facilities

Facilities Services - Grand Rapids Campus and Regional Centers maintain University buildings and grounds, with concern for safety and security on the Pew Grand Rapids Campus. Parking lots are illuminated at night, as are all main campus walkways and building entrances. Overnight parking is prohibited except in residential lots. Landscape plantings are arranged and maintained so that building entrances are easily visible from a distance. A security camera system is used on the Pew Grand Rapids Campus for purposes of forensic review of any criminal actions. University security cameras are not monitored continuously under normal operating conditions but may be monitored for legitimate safety and security purposes that include, but are not limited to, the following: high risk areas, restricted access areas/locations, in response to an alarm, special events, and specific investigations authorized by the Director of Public Safety or designee(s). No security cameras are installed on University owned or controlled property in any location for which there is a reasonable expectation of privacy. The University [Use of Security Cameras policy](#) outlines acceptable use and procedures surrounding the University security camera system.

Individual Responsibility

A safety program such as the one at Grand Valley could not reach its highest potential without student cooperation. Students and employees must take responsibility for themselves and their belongings by using common sense and by taking advantage of the programs that are available to them. Grand Valley State community members are encouraged to be alert and aware and responsible for their own security and the security of the community.

Larceny is the most frequent crime on campus and can often be prevented. Do not leave bags, books, purses, bicycles, or other personal effects unattended in the living centers, classrooms or other public areas. When parking on campus, close your vehicle's windows and lock your doors.

Security Awareness and Crime Prevention Programs

The Grand Valley Police Department offers a wide variety of safety awareness and crime prevention programs to the University community. The Grand Valley Police Department partners with [Housing and Residence Life](#), [Admissions](#), and the [Alcohol and Other Drugs \(AOD\) Services office](#) to reach a broad audience beginning with freshmen students during the Transitions orientation.

Safety awareness programs available include topics such as Empowering Women, Spring Break Travel Safety, Active Shooter Response, Eyes Wide Open, Fire Safety, and Severe Weather. There are numerous programs available on alcohol education such as Truth, Lies and

Consequences, Liquor and the Law, and Alcohol Awareness Mario Kart. All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Crime prevention programs and specialized programs customized to address specific events and crime trends are available upon request. Programs are provided to students, faculty, and staff on request. Descriptions of the programs available are on the Grand Valley Police Department [website](#). Links are also available to programs offered by [AOD Services](#).

The following programs were offered by Grand Valley Police Department Community Policing Officers in 2024.

PROGRAM	# OF TIMES OFFERED IN 2024
Alcohol Awareness	1
Mario Kart	1

The following programs were offered by Grand Valley Police Department Emergency Management in 2024.

PROGRAM	# OF TIMES OFFERED IN 2024
Emergency Preparedness Training	23
911 See Something	1
Hands Only CPR	2
Emergencies Q&A	2
Question, Persuade, Refer	1
Safety Walk-Through	17
Active Shooter Engaged	1
Stop the Bleed	8

The [University Counseling Center](#) provides individual and group counseling throughout the year on such topics as alcohol and substance abuse, rape, personal and relationship concerns, and career planning. More information can be obtained from the University Counseling Center or by calling (616) 331-3266.

Crime Rates and Statistics

In compliance with the Jeanne Clery Campus Safety Act, the University annually provides information on security procedures and crime statistics to all its employees and enrolled students. The procedure for preparing the annual disclosure includes reporting statistics from a number of law enforcement agencies to the University community.

The Grand Valley Department of Public Safety provides the basis for the statistics on the Pew Grand Rapids Campus. A written request is made to the Grand Rapids Police Department for information pertaining to the Pew Grand Rapids Campus and to the Walker Police Department for the Walker Park-and-Ride and Standale Plaza area, along with the respective Michigan State Police Posts. A written request for statistical information is made on an annual basis to the Campus Security Authorities to identify reportable crimes that were not previously reported to the Department of Public Safety.

The Grand Valley State University Police Department voluntarily reports all crimes to the FBI National Incident-Based Reporting System (NIBRS). The Department makes an effort to record, through local law enforcement agencies, criminal activity at off-campus or non-campus locations of recognized University student organizations. When made aware of criminal incidents occurring at other non-campus locations, the Department records the statistics accordingly.

The Department of Public Safety maintains a daily crime log for the Allendale Campus, Grand Rapids Campuses, Holland Meijer Campus, Detroit Campus, Muskegon Locations, and Traverse City Regional Center that can be reviewed in person during normal business hours at the Grand Valley Police Department in the Service Building on the Allendale Campus or on the Pew Campus at 609 Watson St SW, Grand Rapids, MI 49504. A printed copy will be provided upon request by contacting the Grand Valley Police Department at (616) 331-3255.

Crime statistics, including referrals to the University for disciplinary actions, for the most recent three-year period for the Pew Grand Rapids Campus are located at the end of this report. **See Appendix A.**

Crime Definitions in Accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program

The following definitions, as published in the Clery Act Statute and regulations, Appendix A to Subpart D of Part 668, Title 34, are used to categorize the crime statistics listed in Appendix A of this report.

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

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

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

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

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

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

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

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

- **Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental capacity.
- **Incest** - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - Sexual intercourse with a person who is under the statutory age of consent.

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

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

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

Weapons: Carrying, Possessing, Etc: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Hate Crime: A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

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

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

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

Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Drug and Alcohol Policy

In compliance with the Drug Free Schools and Communities Act, Grand Valley State University publishes information regarding the University's educational programs related to drug and alcohol abuse prevention, sanctions for violations of federal, state, and local laws and University policy, a description of health risks associated with alcohol and other drug use, and a description of available treatment programs for GVSU students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online in the [GVSU Alcohol and Other Drugs Policy Handbook](#). The GVSU Alcohol and Other Drugs Policy is available in the University Policies (<https://www.gvsu.edu/policies/>).

Students, faculty and staff are responsible for making decisions about their behavior within the context of state and federal law and University policies. The unlawful manufacture, possession, use, sale, distribution, or dispensation of illicit or prescription drugs and the unlawful possession, use, sale, or distribution of alcohol and marijuana by faculty, staff, and students on GVSU property or as part of a University activity is specifically prohibited by University policy and by state and federal law. GVSU police officers will investigate reports of any such violations, and if appropriate, enforce state underage drinking laws as well as federal and state drug laws.

The [Alcohol & Other Drugs \(AOD\) Services](#) office understands that alcohol and drug abuse often negatively impact individuals' health, academics, career, safety, and relationships. Substance abuse can also be a sign of struggles in one's life and "co-occur" with mental health issues. To provide support, the AOD Services office works closely with the [University Counseling Center](#) to ensure that students are aware of the free and confidential counseling resources they have available to them through the University.

The University's Employee Assistance Program (EAP), also known as [AllOne Health](#), is available through the Human Resource Office. GVSU faculty, staff and their household members who are benefit eligible have access to mental health and substance abuse counseling services through AllOne Health. If it is determined that further intervention is needed, AllOne Health will refer the individual to an area substance abuse treatment program or service. Faculty and staff can contact AllOne Health directly.

Please contact the offices below for additional information or assistance.

Students

Alcohol & Other Drugs (AOD) Services Office:

(616) 331-2537 | www.gvsu.edu/aod/

Provides alcohol and drug education, prevention services and helps support students in recovery.

University Counseling Center: (616) 331-3266 | www.gvsu.edu/counsel

Provides free student mental health and substance abuse counseling to currently enrolled students. Services are confidential and include both individual and group counseling.

Dean of Students Office: (616) 331-3585 | www.gvsu.edu/dos/

Faculty/Staff

Human Resources Office: (616) 331-2215 | www.gvsu.edu/hro/

AllOne Health: (800) 788-8630

AllOne Health is a third-party confidential resource. They provide seven free sessions for GVSU faculty, staff, and their household dependents to lend support with a variety of life challenges. Faculty and staff can receive resources for needs such as elder care, childcare, financial issues, and legal issues. Coaching, consultation, and counseling are available for grief, substance abuse assessment, mental health needs, and relationship conflict. For more information visit <https://www.gvsu.edu/hro/benefits/allone-health-employee-assistance-program-eap-504.htm>

Federal Grant Recipients

Office of Sponsored Programs: (616) 331-6826 | www.gvsu.edu/grants/

All Campus Community

Grand Valley Department of Public Safety: (616) 331-3255

Emergencies: 9-1-1 | www.gvsu.edu/dps/

GVSU Campus Health Center: (616) 685-7600 | <https://www.gvsu.edu/campushealth/campus-health-58.htm>

AOD Education Programs

AOD Services offers a variety of educational programming to inform students, faculty, and staff about drug and alcohol use and abuse. The following programs are offered throughout the academic year to provide alcohol-free opportunities, education on legal and health consequences of using substances, and to promote alcohol-free lifestyles.

3 Bs of Alcohol

This 50-minute program is an interactive program engaging students in a dialogue about drinking culture, safe drinking techniques, and some of the facts and myths related to alcohol. This programming is provided for academic courses, residential communities, the Greek community, and by request. This program is offered throughout the semester and can be requested by faculty, staff, or student groups/organizations.

3 Bs of Marijuana

This 50-minute, interactive program engages students in a dialogue about marijuana culture, how to use cannabis safely, and some of the facts and myths about marijuana. This program addresses marijuana use, addiction, GVSU norms pertaining to marijuana use perceptions, health impacts, and consequences of using marijuana illegally. This program is provided to academic courses and by request. It is offered each semester and can be requested by faculty, staff, or student groups/organizations.

3 Bs of Substances

This 50-minute interactive program engages students in a dialogue about illicit substances, alcohol, and cannabis culture. It explores ways to use substances safely and addresses the risks of mixing substances and prescription misuse. This programming was provided for academic courses, residential communities, the Greek community, and by request.

Wine, Women and Wellness

This program is facilitated by AOD Services staff and has been tailored to meet the needs of GVSU female students who choose to drink. The focus of this interactive program is education on alcohol use, high risk drinking, GVSU norms pertaining to drinking, health impacts, safety tips, and consequences of illegal drinking. Additionally, this program provides specific information on the effects of alcohol as it relates to hormones, body types, and blood alcohol levels for females. This program can be requested by faculty, staff, or student groups/organizations.

Men and Alcohol

This program is facilitated by AOD Services staff and has been tailored to meet the needs of GVSU male students who choose to drink. The focus of this interactive program is education on alcohol use, high risk drinking, GVSU norms pertaining to drinking, health impacts, safety tips, and consequences of illegal drinking. Additionally, this program provides specific information on signs of dangerous drinking and blood alcohol levels for males. This program can be requested by faculty, staff, or student groups/organizations.

Alcohol and Athletic Performance

This program is facilitated by AOD Services staff and has been tailored to meet the needs of athletes at any level. The focus of this interactive program is education on alcohol use, high risk drinking, GVSU norms pertaining to drinking, health impacts, safety tips, and consequences of illegal drinking. Additionally, this program provides specific information on the effects of alcohol on athletic performance, mental health, and team support. This program can be requested by faculty, staff, or student groups/organizations.

AOD Jeopardy

This 50-minute Jeopardy simulation provides interactive education where students can learn facts, statistics, and myths about various substances including alcohol, marijuana, and study drugs. Program content includes information on impacts of substances, prevalence, effects, and legal matters. This programming is provided for academic courses, the residential community, the Greek community, and by request.

Recovery Meetings

The AOD Services office provides space and support for daily recovery meetings including AA, NA, SMART Recovery, and Adult Children of Alcoholics. Students, faculty, staff, and community members are welcome to attend these meetings.

Fire Safety Information

Residence Life Fire Safety

Fire safety on the campuses of the University involves a variety of measures aimed at prevention, education, enforcement, and ensuring safety for all students, faculty, staff, and visitors. The Office of Housing and Residence Life works closely with other University departments and local fire departments to promote fire safety through prevention, education, enforcement programs, and fire drills.

Policies and Procedures

Fire safety policies and procedures are published in the Housing Student Policies document (www.gvsu.edu/housing). Housing regulations prohibit the use of hazardous items such as open flames (including candles and incense), cooking (with the exception of microwaves or University approved stoves/cooktops in apartments), and regulated/prohibited electrical items (see list of regulated/prohibited items in the Housing Community Living Standards at <https://services.gvsu.edu/TDClient/60/Portal/KB/ArticleDet?ID=5439&SIDs=560>). Smoking and vaping are prohibited in all University buildings (including on-campus student housing) and within twenty-five (25) feet of all University buildings. The Grand Valley State University Student Code (www.gvsu.edu/studentcode) includes policies regarding prohibited conduct.

Education

Housing resident assistants (RAs) are required to complete a Fire and Tornado Safety work session. These seminars prepare RAs to educate residents about fire safety and severe weather issues. All residents of living centers are required to attend a “floor meeting” to review building floor plans, evacuation routes, fire drill procedures and fire safety policies. No training is provided to students in firefighting or suppression activities. Educational materials for the fire safety evacuation procedures are available to members of the community at the GVSU emergency website (www.gvsu.edu/emergency/fire-18.htm). Additional emergency information can be found on the Grand Valley Emergency website at <http://www.gvsu.edu/emergency/doyouknowwhattodo>.

In accordance with State of Michigan fire drill requirements (Fire Prevention Code, PA 207 of 1941, MCL 29.19a, Section a (5)), Department of Public Safety officers and Housing and Residence Life staff conduct a fire drill within the first three weeks of classes to begin familiarizing residents with the sights, sounds and procedures related to the fire system. Residents are expected to participate in all fire drills and follow designated procedures. Failure to do so will result in disciplinary referral.

Reporting

Dial 911 for all emergencies, including fire-related incidents. For monitoring and recording purposes, report fires that have occurred and/or are suspected to have occurred to the Department of Public Safety (616) 331-3255. Additional records are maintained by the Office of Housing and Residence Life at (616) 331-2120.

Procedures Campus Community Members Should Follow in Case of Fire

In the event of a fire alarm in a residential unit, the University expects that all campus community members will evacuate by the nearest exit, using stairs and not elevators. Fire alarms are set off by smoke detectors, sprinkler systems or pull stations. Failure to vacate the building will result in disciplinary action. Misuse of the fire alarm system, including sounding a false alarm or tampering with extinguishers or smoke detectors, is prohibited.

- When a fire alarm sounds, use stairs and not elevators.
- Follow the exit signs out of the building.
- If you come across a fire, exit the building and dial 911 immediately and follow their instructions.
- Before leaving the room, feel the room door. If the door is hot, do not open it. Open the window and signal for help instead. If the door is cool, leave the building by the closest exit. Remain calm and walk. Do not run.
- Upon exiting the building, a fire alarm pull station can also be activated.
- Once outside, move away from the building and leave room for emergency vehicles; then wait for further instructions.
- Students may not re-enter the building until notice is given from the Department of Public Safety or First Responders.
- Remember to remain calm.
- University policy is that all occupants must evacuate from the building.
- Fire drills occur each semester in accordance with State of Michigan fire drill requirements. Residents are expected to follow procedures and evacuate. Failing to do so may result in a sanction.

Enforcement

Individuals witnessing a violation of fire safety policies are to report it immediately to a Resident Assistant (RA). Misuse of the fire alarm system, including, but not limited to, sounding a false alarm or tampering with extinguishers or smoke detectors is prohibited. Violations of applicable laws and/or University fire safety policies are documented and reported to the Office of Student Conduct and Conflict Resolution and the Department of Public Safety Services and may result in disciplinary as well as criminal action.

Planned Improvements

Future improvements in fire safety are evaluated on an annual basis and specific projects are reviewed by management and prioritized in the annual Housing Auxiliary project request list. Automatic sprinklers are installed in all new buildings when it is required by code. Sprinklers will be installed in non-sprinkler buildings if future funding is approved. A specific list of improvement projects can be obtained from the Facilities Planning Department at (616)331-3258. The university does not have any planned improvements in fire safety at this time.

Fire Safety Systems and Fire Log

Student housing facilities include living centers and apartments that provide housing for approximately 320 students on the Robert C. Pew Grand Rapids Campus. Housing fire safety systems are monitored by the Department of Public Safety.

A fire log for residential facilities is maintained and updated by the Department of Public Safety. Information recorded for each fire includes: the building, address, date and time of fire, cause, deaths or injuries if applicable, damage costs, and the date the fire was reported. The fire log is updated within 2 business days after the fire is reported to the Department of Public Safety. The fire log for the Allendale or Pew Campuses may be obtained by contacting the Emergency Manager at (616) 331-3255 or by visiting the Department of Public Safety at the Service Building (SER) on the Allendale Campus during normal business hours. A printed copy will be provided upon request.

Housing fire log statistics are maintained by the Department of Public Safety and published in the Annual Security and Fire Safety Report annually for the 3 preceding calendar years. For each fire, fire log statistics include: the building, address, date and time of fire, cause, deaths or injuries if applicable, and damage costs.

See the charts in **Appendix B** for a description of the Pew Grand Rapids Campus Housing Fire Safety Systems for 2024 and the Housing Fire Log Statistics for 2022, 2023 and 2024.

Concluding Paragraph-Policy Applicability

All policy statements contained in the Annual Security and Fire Safety Report apply to the Pew Grand Rapids Campus unless otherwise stated within each section of the Report. The information in this document is accurate as of the date it was posted. This report is intended to be informational and is not a guarantee of services. The University reserves the right to modify its programs, services, and levels of staffing.

Appendix A: Crime Statistics

GRAND VALLEY STATE UNIVERSITY ROBERT C PEW GRAND RAPIDS CAMPUS															
	Total on Campus			Residential Housing Facilities (RHF) ¹			Non-Campus Building or Property			Public Property			Unfounded Reports ³		
	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024
Clery Crimes Reported															
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense: Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense: Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense: Fondling	0	1	1	0	1	0	0	0	0	1	0	0	0	0	0
Rape	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	1	0	0	0	0	0	0	2	2	3	0	1	0
Aggravated Assault	1	1	1	1	0	0	0	0	0	3	0	4	0	1	0
Burglary	1	3	1	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2	3	2	0	0	0	0	0	0	0	0	1	0	1	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny ²	26	14	31	0	0	2	0	0	0	1	0	1	2	2	3
VAWA Crimes Reported															
Dating Violence	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	1	0	1	0	0	0	0	0	0	0	2	1	0	0	0
Stalking	1	4	1	1	1	1	0	0	0	0	0	0	0	0	0
Liquor, Drug and Weapons Law Violations															
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
Drug Law Referrals	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Arrests	0	0	1	0	0	0	0	0	0	1	8	2	0	0	0
Weapons Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes															
No Hate Crimes were reported in 2022, 2023, 2024.															

¹ Residential Housing Facilities is a subcategory of On-Campus Property. The data in Residential Housing Facilities is also included in the Total on Campus data.

² Larceny is not a required Clery reportable crime.

³ A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

Appendix B: Fire Safety Systems and Fire Statistics

HOUSING FIRE SAFETY SYSTEMS

GRAND VALLEY STATE UNIVERSITY ROBERT C PEW CAMPUS							
2024							
Living Centers		Alarms Monitor ed by	Sprinkler System	Smoke Detector	Fire Extinguisher	Evacuation Placards	Number of Annual Fire Drills
Secchia Residence	420 W Fulton St	X	X	X	X	X	0
Winter Hall	32 SW Winter Ave	X	X	X	X	X	0

FIRE SAFETY STATISTICS

GRAND VALLEY STATE UNIVERSITY ROBERT C PEW GRAND RAPIDS CAMPUS								
2022								
Residential Facility	Address	Total Fires in Building	Date/Time of fire	Fire Number	Cause of Fire *	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
SRH - Secchia Hall	420 W Fulton St	0						
WIN - Winter Hall	32 Winter Ave NW	2	11/6/22 1645	1	Heating Equipment (U)	0	0	\$100-\$999
			12/13/22 1735	1	Cooking (U)	0	0	\$0-\$99

GRAND VALLEY STATE UNIVERSITY ROBERT C PEW GRAND RAPIDS CAMPUS								
2023								
Residential Facility	Address	Total Fires in Building	Date/Time of fire	Fire Number	Cause of Fire *	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
SRH - Secchia Hall	420 W Fulton St	1	4/2/23 1735	1	Cooking (U)	0	0	\$0-\$99
WIN - Winter Hall	32 Winter Ave NW	0						

GRAND VALLEY STATE UNIVERSITY ROBERT C PEW GRAND RAPIDS CAMPUS								
2024								
Residential Facility	Address	Total Fires in Building	Date/Time of fire	Fire Number	Cause of Fire *	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
SRH - Secchia Hall	420 W Fulton St	1	7/19/24 2345	1	Cooking (U)	0	0	\$0-\$99
WIN - Winter Hall	32 Winter Ave NW	1	7/17/24 1955	1	Cooking (U)	0	0	\$0-\$99

*(Category)

(U)=Unintentional

(I)=Intentional

(UN)=Undetermined