



WAYNE STATE
UNIVERSITY

2022 Annual Security and Fire Safety Report

A MESSAGE FROM OUR PRESIDENT

This is a joint publication of the Wayne State University Police Department and the Office of the General Counsel.

OUR CAMPUS

Wayne State's main campus covers approximately 200 acres in the heart of Midtown Detroit. The university boasts one of the nation's most diverse student bodies. While some students reside in the seven residence halls and apartment complexes on campus*, others commute from within the city as well as the larger metropolitan area. WSU has four** satellite campuses: Advanced Technology Education Center in Warren, Jackson Extension Center in Jackson***, Schoolcraft Center in Livonia and University Center Macomb in Clinton Township. The School of Medicine campus is south of the main campus and adjacent to the Detroit Medical Center, and the Mike Ilitch School of Business is located in The District Detroit, south of the main campus. TechTown, a 12-block, three-acre research and technology park, is just north of the main campus.****

**DeRoy Apartments closed permanently on May 1, 2019. Chatsworth Apartments was temporarily vacated on May 13, 2019, for renovations, and it was reopened on Aug. 19, 2020. It is now a residence hall and has been renamed Chatsworth Suites. DeRoy Apartments remains in WSU's 2021 Annual Security and Fire Safety Report as it was open for a portion of the time period of this report.*

***In prior years, there were six satellite campuses (which would encompass the years relevant to this report). In addition to those listed as the current satellite campuses, there was also OCC Orchard Ridge in Farmington Hills and Macomb Education Center in Clinton Township, which are in the process of being closed.*

****The Jackson Extension Center opened in January 2020. No in-person classes have been held at the Jackson Extension Center as of fall 2021.*

*****For purposes of reporting crime statistics, the School of Medicine, Mike Ilitch School of Business and TechTown are all included in the geographical location that constitutes main campus.*

As part of its mission, Wayne State University continually strives to reach the highest standards of excellence in ensuring the safety of the entire university community. Our law enforcement professionals work around the clock to ensure a pleasant, safe and welcoming campus for our students, faculty, staff and visitors.

Whether in patrol cars, on mountain bikes or behind desks, the dedicated men and women of the Wayne State University Police Department (WSUPD) handle all police, criminal and safety matters on campus. The department's members seek to enforce the law with uncompromised integrity and provide community-oriented services with efficiency, professionalism and courtesy. Our full-service department is available to the university community 24 hours a day, seven days a week, 365 days a year.

Although safety is our top priority, we cannot accomplish it alone. At Wayne State, we use a community approach to law enforcement, recognizing that strong partnerships between police and the campus community enable us to do the best possible job of protecting people and property.

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, the university publishes this report on an annual basis to provide its students, faculty and staff with an overview of our crime statistics, public safety resources, policies and procedures. This report is intended to fulfill that requirement and is divided into two sections: **Section A.) Annual Security Report**, and **Section B.) Annual Fire Safety Report**.

This document is posted on the WSUPD website, police.wayne.edu; on the Dean of Students Office website, doso.wayne.edu; on the Office of the General Counsel website, generalcounsel.wayne.edu; on the university's safety website, wayne.edu/safety; and on the university's Title IX website, titleix.wayne.edu. A hard copy may be downloaded from any of these websites. Hard copies are also available upon request from the Office of Undergraduate Admissions and University Human Resources.

The university also reports the annual crime statistics contained in this report to the U.S. Department of Education. A searchable database containing these statistics can be found at ope.ed.gov/campusafety/#/institution/search.

Campus crime statistics included in this report are gathered from a variety of sources, including campus and local law enforcement agencies and campus officials with significant responsibility for student and campus activities.

Please take time to read this report carefully. It provides information on how you can take an active role in preventing crime and increasing your safety and security while on campus.

President M. Roy Wilson

A. ANNUAL SECURITY REPORT

The Annual Security Report is divided into the following areas:

- A question-and-answer section on safety and security issues, where to report incidents, timely warnings, emergency notifications, and available safety programs.
- A summary of Michigan laws as they pertain to drug and alcohol abuse.
- The Wayne State University policy on drugs and alcohol.
- Suspension of eligibility for financial aid for drug-related offenses.
- The Wayne State University policies on sexual harassment, sexual assault and non-discrimination, and where to report incidents.
- A summary of victim support services.
- A summary of student resources for reporting sexual harassment, sexual assault, domestic violence, dating violence and stalking. This includes the procedures Wayne State will follow in response to such reports.
- A summary of Wayne State University's crime statistics for the years 2021, 2020 and 2019.
- A summary of Wayne State University's emergency response and evacuation procedures.
- A summary of Wayne State University's missing student notification policy.

QUESTIONS AND ANSWERS ON SAFETY AND SECURITY ISSUES

1. Does Wayne State have its own police force?

Yes. Since its establishment in 1966, the Wayne State University Police Department (WSUPD) has endeavored to provide a safe and secure environment for the entire university community. The department provides a full range of professional police services to both the main and medical center campuses, as well as the surrounding neighborhoods. We have sworn officers who are responsible for patrolling campus and the surrounding areas 365 days a year. Civilian cadets act as eyes and ears for our police officers by way of conducting uniformed foot patrols in and around our main campus.

Every officer has a bachelor's degree, and many have advanced degrees. Nearly half of our police officers are Wayne State graduates. Every officer also completes an intensive training course at a state-certified police academy, followed by a demanding 13-week program at Wayne State. Refresher courses and additional training also keep officers current with the latest practices in their profession.

All WSU police officers are fully licensed through the Michigan Commission on Law Enforcement Standards (MCOLES). All officers are sworn peace officers commissioned under state law, and each has been commissioned as a police officer in the City of Detroit. Officers are empowered to enforce all federal and state laws, including the Michigan Motor Vehicle Code and City of Detroit ordinances, both on and off campus. As sworn police officers, they are authorized to investigate, arrest or take any other necessary action to address any criminal or other public infraction in the vicinity of the Wayne State campus. Incidents that occur off campus and involve official WSU-recognized student organizations that are engaged in activities sponsored by Wayne State are monitored and recorded by WSUPD. While there is no formal memorandum of understanding, WSU police officers work closely with the Detroit Police Department, Wayne County Sheriff's Office, Michigan State Police and federal law enforcement authorities to ensure that all such incidents are monitored and recorded, even in cases where another law enforcement agency is first to respond.

2. What should I do if I'm the victim of a crime or if I witness a crime? Who do I contact in an emergency?

Criminal activity or any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus should be reported to the WSUPD immediately by calling **313-577-2222**. Our police dispatch center is fully equipped to handle all emergencies and is prepared to seek appropriate assistance from other university officials, such as Environmental Health and Safety, as well as outside organizations such as the National Response Center and the Campus Health Center, depending on the type of emergency involved.

When responding to reports of criminal activity or any emergency or dangerous situation, WSUPD begins by documenting and investigating the situation, apprehending perpetrators when possible, and arranging for emergency responses from other agencies, such as the fire department or an emergency medical service. University faculty and staff will help students notify WSUPD if a student requests assistance. WSUPD will also assist students who wish to report criminal activity to outside law enforcement agencies.

Wayne State encourages individuals to promptly report incidents of sexual misconduct — which includes sexual assault, sexual harassment, sex discrimination, domestic and dating violence, stalking, and retaliation — to the Title IX coordinator at **313-577-9999** or titleix@wayne.edu. In addition, individuals are encouraged to report sexual misconduct that may also violate criminal law to the Wayne State police at **313-577-2222**. These processes are not mutually exclusive. WSU expects that all complaints will be filed in good faith.

The university does not have an institutional policy or procedure that allows victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in this report; however, WSUPD allows for confidential and anonymous crime reporting through its website, police.wayne.edu/contact/tip-line. In addition, the Office of Internal Audit maintains an anonymous tip hotline

where individuals may report suspicious activity such as fraud, misuse and misappropriation, or a Title IX matter. The anonymous tip hotline is **313-577-5138**. Any reports related to human research subjects may be reported anonymously to the WSU Human Research Protection Program at **313-577-0895**.

The university will complete publicly available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim.

The university does not have policies or procedures that encourage pastoral counselors and professional counselors to inform persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the Annual Security Report.

If you do not have access to a telephone, there are illuminated blue-light emergency phones located around campus, its perimeter and inside parking facilities. The phones are mounted on kiosks or attached to building walls. Once the receiver is picked up, the blue light begins flashing, enabling WSU police officers to see it from two to three blocks away. The phones also allow police communication personnel to pinpoint the caller's location immediately. They are programmed to dial directly to WSUPD with the touch of a single button. The communication center is staffed 24 hours a day, seven days a week, to receive both emergency and non-emergency requests for service.

Please do not call 911 for on-campus threats and emergencies because calls to 911 go directly to the Detroit Police Department, Detroit Fire Department and Emergency Medical Services, whose responders are not intimately familiar with the campus. WSU police officers are well acquainted with campus and can respond much more quickly to campus-related emergencies. **Contact WSUPD at 313-577-2222.**

3. How does WSU notify students about crime alerts and other types of emergencies?

The university sends emergency notifications to the campus upon confirmation of a significant emergency or dangerous situation occurring on campus that involves an immediate threat to

QUESTIONS AND ANSWERS ON SAFETY AND SECURITY ISSUES

the health or safety of individuals. These notifications ensure that students and staff receive warning of emergency situations, such as an active attacker, a bomb threat, gas leak, a tornado or similar situations.

The chief of police, with the advice and assistance of members of the WSU Crisis Management Team, determines when an emergency notification should be issued. In making this determination, the chief considers the safety of the campus community and what information should be released about the situation. Emergency notifications are sent by email and text to students, faculty and staff. The only reason the university would not immediately issue a notification for a confirmed emergency or dangerous situation is if doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency or otherwise heighten the emergency.

The university also issues timely warnings when certain crimes occur that pose a continuing risk to the safety of the campus community. The university refers to these timely warnings as “special crime alerts.” For purposes of this report, these alerts will hereinafter be referred to as “**timely warnings.**” Timely warnings are sent to students, faculty and staff as soon as reasonably possible after the occurrence of the crime. They alert recipients to the potential that similar crimes could subsequently occur and enable members of the campus community to better protect themselves. Timely warnings are sent to students, faculty and staff in the same manner as emergency notifications, including by email and text.

The WSUPD, under the direction of the chief of police, is responsible for issuing timely warnings. The decision to issue a timely warning is made by the WSUPD on a case-by-case basis in light of all facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, the accuracy of reported information and the possible risk of compromising law enforcement efforts. Every attempt is made to ensure these notices are substantively accurate and specific enough to be helpful.

In addition to email and text notifications, both emergency notifications and timely warnings are posted at wayne.edu.

The WSUPD will also provide periodic updates to emergency notifications and timely warnings as necessary. Each notice provides crime prevention tips and other useful information.

The university’s crime statistics are published each fall in the Annual Security and Fire Safety Report. These statistics are compiled by the WSUPD and reflect information reported to the police and by Campus Security Authorities (CSAs) in and immediately around campus. CSAs are employees with significant responsibility for student and campus activities.

The statistics for the past three years are reflected in the chart on page 4.

4. How are campus facilities, including university apartments and residence halls, kept safe and secure? Who has access to these buildings?

In general, university buildings — such as classrooms and office buildings — are open during normal business hours and class times and locked and closed at the end of the day. Laboratories and research facilities, which require greater security, have intrusion alarms and card-access systems. Police officers and cadets patrol university buildings and facilities during and after business hours and regularly make building checks.

Wayne State has taken many steps to ensure the safety of its residential student population. As of September 13, 2022, the fall 2022 census day, there were 2,469 students living in apartment facilities and residence halls on campus. All residential buildings are locked 24 hours a day and require a card or key for entry. All such facilities have a 24-hour staffed reception desk. In addition, a key is required for admittance to individual rooms and apartments. Each day, on-call staff members walk through the buildings and are available to respond to issues and resident concerns. University police also routinely walk through all housing facilities.

Visitors to the residence halls and apartments must submit a Wayne State OneCard, driver’s license or state identification card to receive a guest pass with a barcode. Once they leave the premises, they are removed from

an internal tracking system that enables housing personnel to determine who is in the building.

Each year, the university publishes the Community Living Guide for the residence halls and apartments. The guide contains detailed information about residence hall and apartment policies; services and amenities; check-in and check-out procedures; safety, security and emergency procedures; personal emergency planning; and policies, procedures and general information. The guide also contains a list of important phone numbers. It may be accessed at housing.wayne.edu/pdf/community-living-guide.pdf.

5. What about lighting and maintenance issues that affect campus safety?

Outside lighting and landscaping is designed for pedestrian safety and security. Sidewalks provide well-lit routes from parking areas to buildings and from building to building. Areas across campus are routinely surveyed to ensure that they are well lit and that burned-out lights are promptly replaced. University community members are encouraged to call WSUPD (313-577-2222) if they see an area in need of additional or replacement lighting. Landscape personnel regularly trim shrubbery around sidewalks and building entrances to maximize visibility and eliminate areas where someone could hide. In terms of building security, exterior doors are locked electronically by university personnel. WSUPD routinely checks exterior doors to make sure they are locked.

Campus surface parking is designed and constructed to allow easy observation by those using the lots and structures, as well as maximum visibility for police officers and parking office personnel. Parking structures are routinely patrolled during normal hours of operation and staffed by parking office personnel.

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Clery Act Reportable Crime Statistics for 2019, 2020 and 2021

| | Main Campus 2019 2020 2021 | | | Student Housing 2019 2020 2021 | | | Non-Campus Property 2019 2020 2021 | | | Public Property 2019 2020 2021 | | | Satellite Campuses 2019 2020 2021 | | |
|--|-----------------------------------|----|----|---------------------------------------|----|------|---|---|---|---------------------------------------|----|----|--|----|---|
| Criminal Offenses | | | | | | | | | | | | | | | |
| 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 |
| Rape | 2 | 4 | 3 | 2 | 3 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 2 | 0 | 1 | 1 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 1 | 0 | 0 | 0 |
| Aggravated assault | 1 | 1 | 3 | 0 | 1 | 0 | 0 | 0 | 1 | 3 | 0 | 1 | 0 | 0 | 1 |
| Burglary | 3 | 1 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor vehicle theft | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 1 | 6 | 0 | 5 | 0 | 1 | 1 |
| Arson | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| VAWA Offenses | | | | | | | | | | | | | | | |
| Domestic violence | 0 | 3 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating violence | 1 | 4 | 6 | 1 | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 14 | 7 | 1 | 2 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Arrests for Liquor, Drug and Weapons Law Violations | | | | | | | | | | | | | | | |
| Weapons law violations (carrying, possessing, etc.) | 3 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 3 | 0 | 0 | 0 | 0 |
| Drug abuse violations | 2 | 2 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 |
| Liquor law violations | 8 | 2 | 9 | 5 | 1 | 8 | 0 | 0 | 1 | 35 | 25 | 23 | 0 | 0 | 0 |
| Disciplinary Referrals for Liquor, Drug and Weapons Law Violations | | | | | | | | | | | | | | | |
| Weapons law violations (carrying, possessing, etc.) | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug abuse violations | 158 | 99 | 90 | 151 | 98 | 89 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0* | 0 |
| Liquor law violations | 233 | 70 | 34 | 225 | 70 | 32** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Hate Crimes | | | | | | | | | | | | | | | |
| No hate crimes were reported in 2019, 2020 or 2021. | | | | | | | | | | | | | | | |
| Unfounded Crimes | | | | | | | | | | | | | | | |
| No crimes were unfounded in 2019 or 2020. One crime was unfounded in 2021. | | | | | | | | | | | | | | | |

*Drug law violations on public property at satellite campuses in 2020 is 3, all of which occurred on public property surrounding the Macomb Extension Center (consisting of the Advanced Technology Center, the Macomb Educational Center and the Macomb University Center).

** The number of liquor violations has dropped from the previous year due to fewer residents staying in our dorms and the minor in possession's first charge has become a civil infraction instead of a misdemeanor in the state of Michigan for the first offense (Michigan Compiled Law (MCL) Section 436.1703).

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6. Are there any programs offered specifically for students and employees to help them understand campus security procedures and learn how to protect themselves and prevent crime?

WSUPD provides a wide array of presentations and programs designed to educate students and employees about security procedures and crime prevention strategies to help keep them safe. At the beginning of each academic semester, the WSUPD's Crime Prevention Section sends an email to students, staff and faculty about campus and ways to stay safe. This email discusses the following programs:

Safewalk: If a student or an employee feels uneasy about walking alone on campus, they may call WSUPD at **313-577-2222** at any time and for any reason to request the Safewalk service. The police will dispatch a uniformed and radio-equipped cadet or patrol officer to walk with the individual to their destination.

Personal safety and self-defense courses: The WSUPD offers a total of seven personal safety and self-defense classes for students, staff and faculty, six of which are Rape Aggression Defense (RAD) Courses. WSUPD provides the following courses to the university community on a monthly basis and throughout the academic year, depending on instructor availability. Courses are also available during the spring and summer.

Domestic and Dating Violence Seminar:

The 90-minute Domestic Violence Seminar is designed to educate and increase awareness of domestic and dating violence. The course will define domestic violence, discuss the cycle of violence, inform participants about the law as it relates to domestic violence, provide resources and discuss participants' questions. The course also promotes awareness of the crimes of rape, acquaintance rape, dating violence, sexual assault and stalking, all of which may result from domestic violence situations.

RAD for Women – Basic: The Rape Aggression Defense system is a 13-hour women's self-defense course that is internationally recognized as an effective

and easy-to-learn personal safety tool. Each class consists of four separate sessions that cover a variety of topics, including personal safety and safety awareness, physical defense techniques, and aggressive defense measures to be used as options available to the woman who is attacked.

Rape Aggression Defense – Advanced:

This 25-hour advanced RAD class, which takes place over four sessions, builds on techniques and strategies from the Basic RAD class. This program also covers more prone defense strategies, multiple subject encounters, and even low and diffused light simulation exercises.

RAD Weapons Defense Course for Women: This course teaches participants real-life, hands-on defensive strategies against an assailant armed with an edged weapon or firearm.

RAD Aerosol Defense Options: During this four-hour course, participants learn the most realistic methods for accessing, deploying and assisting the aerosol defense option; in the event it fails to work, they learn proven backup strategies needed for successful escape. This is a one-day class. Participants must have previously completed the Basic Physical Defense program.

RAD Keychain Defense Options for Women: This is one of the only realistic and court-defensible impact weapons programs available to the general public, and it combines proven RAD physical defense strategies with impact weapons defense techniques. The program revolves around use of the Kubaton keychain in conjunction with weapon-enhanced physical skills.

RAD for Men: This course is aimed at raising participants' awareness of aggressive behavior and how it impacts their lives, helping participants also learn steps to avoid it. Participants consider how they can be part of reducing aggression and violence, and they practice hands-on self-defense skills to resist and escape aggressive behavior directed toward them.

Emergency Preparedness – Active

Attackers Program: This program is geared toward those interested in learning skills to stay safe and properly

respond in the event of an active attacker situation. This training is available upon request.

Street Smarts – How to Avoid Being a Victim: Through these seminars, the WSUPD provides easy-to-use personal safety tips for a wide variety of real-world situations. This training is available upon request.

Club steering wheel and bike/utility lock: WSUPD will provide to any student, staff or faculty member a steering wheel lock at the discounted price of \$14 and/or a Club utility/bike lock at the discounted price of \$18. These may be obtained at the WSUPD Records Section during regular business hours.

Orientation: WSUPD provides awareness and action programs each year at orientation for first-year students and their families, transfer students, incoming international students, and new employees.

Other university programs: In addition to programs offered through WSUPD, the university also provides the following programs and additional resources for faculty, staff and students:

Child Safety Training Program: This program is designed to increase employees' awareness about common signs of physical and sexual abuse and bullying of minors. There is significant emphasis on who to call if one suspects child abuse and/or bullying. This program is administered by the Office of Internal Audit and targets individuals who may be in contact with minors on campus.

Title IX, sexual harassment, and sexual assault awareness and prevention:

Training for students: The university offers sexual harassment and sexual assault awareness training at all orientation sessions for first-year students and their families, transfer students, and incoming international students. These presentations include contact information for the Title IX coordinator, deputy Title IX coordinators and the WSUPD, as well as information on reporting options and where to obtain support and resources. Students are also encouraged to participate in an interactive online education program called **"Voices for Change."** This online training module provides valuable information to students

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regarding sexual violence, prevention strategies, practical methods for bystander intervention, and reporting and support options for victims and survivors in our campus community. Anyone with a WSU AccessID may access this training program.

Bystander intervention training: At the start of each academic year, the university hosts “**Speak About It – Creating a Culture of Consent.**” Using humor and humanity, this high-energy, theatre-style performance provides Warriors with practical tools for communicating about boundaries and desires, while sparking important dialogue about bystander intervention and consent culture on campus. Consent educators explore the intersections of flirting, romance, seduction, hookups and affirmative consent with all Warriors in attendance. These programs are open to all campus community members, and attendance is required for all first-year students, student athletes and students living in university housing.

In addition to the training provided by the university, the following are tips on how to be an active bystander and steps that may reduce your risk of being the victim of a crime:

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.

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

- Consider whether the situation demands some action.
- Decide whether you feel a 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.
- Simply distracting someone, saying something or checking in can stop the momentum of something bad happening: *Hey, we’re all trying to have a good time. Is everything okay here?*
- Call WSUPD at **313-577-2222** (or 911 if off campus).

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 and decrease the chances you will be targeted or victimized:

- 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 want you to do. Do not give mixed messages; be clear.
- Set limits for yourself and your partner (e.g., “I will be home by midnight,” 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 sex with that person before.
- Have a safety plan. Use the on-campus escort program (Safewalk).
- Avoid walking alone at night.
- Don’t leave your drink unattended. Rape-facilitated drugs are tasteless,

colorless and odorless. Victims don’t know they have ingested drugs until the effects are well underway.

- 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 authorities.
- At the first sign of danger, call WSUPD at **313-577-2222** (or 911 if off-campus).
- Be alert and aware of your surroundings at all times.

Training for faculty and staff: Wayne State regularly offers live training programs for faculty and staff regarding the various types of prohibited sexual misconduct, mandatory reporting requirements, available supportive measures and resources, and where to find additional information on these critical topics. University employees are also encouraged to complete an interactive online training course, which addresses Title IX and mandatory reporting for faculty and staff.

7. What does WSU do to make its students aware of resources for keeping themselves safe?

At the beginning of each school year, the dean of students sends the following information by email to all students:

- The **Broadcast Messaging Service**, Wayne State’s emergency notification system, is used to send text and email alerts to stakeholders during a campus emergency (including emergency notifications and timely warnings).
- Notice that the university has canceled classes is posted on the university’s main webpage at wayne.edu in addition to text and email notifications. Local television and radio broadcasts also provide information on university closures.
- WSUPD, **313-577-2222**, is available 24 hours a day, 7 days a week, 365 days a year for any emergency, including fire and health emergencies. Students are encouraged to program the WSUPD number into their phones.
- Students are encouraged to draft personal preparedness plans.

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Information about these plans — including instructions and a checklist — is available at <https://housing.wayne.edu/pdf/community-living-guide.pdf>.

- Students living in university housing are subject to the Missing Student Notification Policy, discussed in detail on page 21 of this report. Those students should complete a confidential contact form. Forms are available at the front desk of every WSU residence hall and apartment building.
- Students are informed that, in emergency situations, the university's **Crisis Management Team** will convene and respond to the situation. The team will disseminate timely information to the campus community. Wayne State has a rigorous crisis plan, which is continually updated and revised. The university also conducts drills and simulations to prepare for crisis.
- **Counseling and Psychological Services (CAPS)** is part of Student Services and is dedicated to providing counseling and psychological services to Wayne State students. If students experience stress or feel they need other assistance, they are encouraged to contact CAPS at **313-577-3398**. For assistance after normal hours of operation, including nights, weekends and university closures, students may call **313-577-9982**.
- Students are provided with information regarding the National Suicide and Crisis Lifeline, which may be reached by call or text at **988**.

In addition to the foregoing, the WSUPD website contains tips for campus safety, commuting safety, fraud prevention, home safety, personal safety, auto crime prevention and travel safety.

Information on registered sex offenders in the state of Michigan is available through the Michigan Public Sex Offender Registry website at communitynotification.com.

The **Behavioral Intervention Team (BIT)** serves as the university's behavioral threat assessment and early intervention team to address student behavioral issues. BIT also provides guidance to members of the university community to achieve consistency in handling student issues and

ensure compliance with the Student Code of Conduct, housing policies, and other student-related policies and practices.

- Any person who is concerned about student behavior should contact the **Dean of Students Office** at **313-577-1010**, by email at doso@wayne.edu or through a Student Care Report, available at cm.maxient.com/reportingform.php?WayneStateUniv&layout_id=2.

MICHIGAN AND FEDERAL LAWS

Summary of the law governing drug and alcohol abuse, possession and sale

Under Michigan law, the manufacture, delivery or dispensation of a controlled substance or possession of a controlled substance with the intent to manufacture or deliver the controlled substance is a crime. See Mich. Comp. Laws § 333.7401, et seq. The penalties for this crime vary depending on the amount and nature of the drug. Penalties range from fines and brief jail times up to the possibility of life imprisonment. Additional penalties can be imposed for the delivery of drugs to a minor, and multiple offenses will result in harsher punishments. In addition, property used to transport controlled substances may be confiscated and forfeited to the state. See Mich. Comp. Laws § 333.7522.

Operating a motor vehicle while intoxicated is prohibited under Michigan law. See Mich. Comp. Laws § 257.625(1). Penalties for violating this prohibition include service to the community for a period of not more than 360 hours; imprisonment for not more than 93 days; and/or a fine of not less than \$100 or more than \$500, in addition to suspension of one's driver's license. Subsequent offenses and/or extenuating circumstances, such as a higher blood alcohol content or injury to/death of another person, carry additional fines and lengthier terms of imprisonment, as well as forfeiture of the right to drive.

Michigan law prohibits public intoxication that causes one to act in a manner that endangers the safety of another person or property or that causes a public disturbance. See Mich. Comp. Laws § 750.167

Michigan law prohibits the carrying, possession, use or discharge of a firearm while an individual is under the influence of alcohol or controlled substances. See Mich. Comp. Laws § 750.237. Violation of this prohibition will result in forfeiture of the weapon to the state, among other possible penalties. See Mich. Comp. Laws § 750.239.

The federal government determines whether and how a drug should be controlled. Psychoactive (mind-altering) chemicals are categorized according to

Schedules I through V. These schedules determine if a drug can be prescribed by a physician and under what conditions. Penalties for the illegal sale or distribution of a drug are established using the designations of Schedule I through V.

Schedule I drugs have a high potential for abuse with no currently accepted medical uses. Production of these drugs is controlled. Examples include GHB, heroin, methaqualone, marijuana, ecstasy, peyote and MDMA.

Schedule II drugs are considered dangerous and have a high potential for abuse but have some medical uses. Production of these drugs is controlled. Examples include opium, morphine, codeine, other narcotics, barbiturates, cocaine, amphetamines, PCP and OxyContin.

Federal criminal penalties for selling Schedule I and II drugs vary with the quantity of the drug and whether the individual has the drug for personal use or for sale. Criminal penalties are more severe if sale or use of the drug results in death, if drug use is tied to sexual assault, or for repeat offenses.

Federal penalties for Schedule I, II, III, IV and V (except marijuana) are set forth in the attached **Schedule A**. Federal penalties for marijuana, hashish and hashish oil, and Schedule I substances are set forth in the attached **Schedule B**.

Schedule III, IV and V drugs include those most citizens would categorize as "prescription drugs." Schedule III drugs have some potential for abuse but less than those on Schedules I and II. The potential for abuse of Schedule IV drugs is less than those on Schedule III, and the potential for abuse of Schedule V drugs is less than those on Schedule IV. All Schedule III to V drugs have medical uses, and their production is not controlled. Examples of these drugs include some narcotics, barbiturates, depressants, amphetamines and other stimulants. Penalties for sale of these drugs depend on whether it is a first offense or repeated offense. See **Schedule A**.

Health risks and medical consequences of alcohol and drug abuse

For the user, abuse of alcohol and illegal drugs presents significant health risks and medical consequences:

- Addiction to alcohol or other drugs is a progressive disease, which — if untreated — can be fatal.
- Alcohol abuse can result in liver damage and disease, gastrointestinal problems, and brain damage.
- Abuse of alcohol and marijuana during puberty can cause imbalance of sex hormones, resulting in reduced muscle mass and shrinkage of testicles in males and menstrual difficulties and infertility in females.
- Marijuana is psychologically addictive and can contribute to short-term memory problems.
- Long-term use of stimulants ("uppers," including speed, crack, methyl, crystal, etc.) may cause permanent damage to the brain, heart, lungs and other organs.
- The use of cocaine and amphetamines can result in heart attacks; people who lack an enzyme called pseudocholinesterase in their bodies can die from a single minute dose of cocaine.
- Inhalants (poppers, rush, laughing gas, sniffing of glue or paint thinner, etc.) may cause mental confusion, mood swings, delusions or hallucinations.
- The use of hallucinogens — especially PCP (angel dust) — can result in an irreversible drug-induced psychotic state and/or delusions of omnipotence, which can trigger life-threatening behavior.
- Depressants ("downers," including ludes, reds, 714s, barbs) greatly increase the risk of automobile accidents because they affect vision, judgment, coordination and other physical skills.

Intravenous drug users (users of heroin and other opiates) risk infection by diseases such as hepatitis and acquired immune deficiency syndrome (AIDS) from sharing needles.



University policy on drugs and alcohol

The university has developed and implemented a comprehensive drug and alcohol prevention program (hereinafter referred to as the "DAAPP") for students and employees. The DAAPP consists of the following four elements: standards of conduct, treatment resources, education and a biennial review of the DAAPP. These standards of conduct are set forth below. The intent of the DAAPP is to deter students and employees from using illicit drugs and from abusing alcohol on university property and in connection with university-sponsored activities. Additional information regarding the DAAPP may be found at wayne.edu/pdf/daapp-procedures.pdf.

With respect to the university's drug policies below, it is important to note that while the State of Michigan has legalized the use of recreational marijuana, the state law changes have no effect on federal law.

The use, possession or sale of marijuana remains a crime under federal law. Likewise, the university complies with both federal and state laws and remains bound to the commitments that it has made to the federal government. Accordingly, the use, distribution, dispensation, sale or manufacture of marijuana remains prohibited on university premises, at university activities and at university worksites, and marijuana is encompassed in the university's drug policies.

Under Michigan law, it is not legal to: a) publicly consume marijuana, b) drive under the influence of marijuana, or c) provide marijuana to anyone under the age of 21. The law also does not prevent an employer from disciplining an employee for violating a workplace drug policy or for working under the influence. A landlord may bar marijuana growing and smoking from their property.

Wayne State University **Statute 2.20.04, Drug and Alcohol Abuse on Campus**, provides:

Wayne State University is committed to providing a drug-free environment for its faculty, staff and students. The unlawful possession, use, distribution, dispensation, sale or manufacture of drugs or alcohol is prohibited on university premises, at university activities and at university worksites.

Any student or employee who is convicted of a criminal drug offense occurring at the workplace or is convicted of the unlawful possession, use, distribution, dispensation, sale or manufacture of drugs or alcohol on university premises or at any university activity shall be subject to discipline consistent with applicable university policies and contracts and may be required to participate in an appropriate drug or alcohol treatment program as a condition of further employment or enrollment.

The university encourages employees and students who may have problems with the use of illicit drugs or with the abuse of alcohol to seek professional advice and treatment. The Board of Governors encourages the administration to explore additional ways to ensure that members of the university community are aware of the dangers inherent in the abuse of drugs and alcohol, and to assist those who suffer from alcohol or drug abuse in obtaining access to necessary rehabilitation and treatment.

All faculty, staff and students must abide by the terms of this policy as a condition of employment or enrollment at the university. Any faculty or staff member who is directly engaged in the performance of a federal grant or contract and who is convicted of a criminal drug-related offense that occurred at the workplace must notify their supervisor within five days of the conviction.

This policy is adopted in accordance with the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug-Free Workplace Act of 1988, and incorporates and supersedes the policy adopted by the Board of Governors in June 1989, in accordance with the Drug-Free Workplace Act of 1988.

SUSPENSION OF ELIGIBILITY FOR FINANCIAL AID FOR DRUG-RELATED OFFENSES*

Federal law provides that a student who has been convicted of an offense under any federal or state law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving financial aid shall not be eligible to receive any grant, loan or work assistance during the period beginning on the date of such conviction and ending after the interval specified in the following table:

| Possession of a Controlled Substance | Ineligibility Period |
|--------------------------------------|----------------------|
| First offense | 1 year |
| Second offense | 2 years |
| Third offense | Indefinite |
| Sale of a Controlled Substance | Ineligibility Period |
| First offense | 2 years |
| Second offense | Indefinite |

A student whose eligibility has been suspended based on a conviction for possession or sale of a controlled substance may resume eligibility before the end of the ineligibility period if:

- The student satisfactorily completes a drug rehabilitation program that:
 - Complies with the criteria prescribed in the federal regulations.
 - Includes two unannounced drug tests.
- The student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with the criteria prescribed in the federal regulations
- The conviction is reversed, set aside or otherwise rendered nugatory.

* Effective June 17, 2021, drug-related convictions no longer affect eligibility to receive federal financial aid.



The university is required by law to notify federal grantor agencies of such convictions within 10 days after it receives such notice. For purposes of this policy, a conviction includes a plea of guilty or of *nolo contendere*.

Wayne State University **Statute 2.85.06, Alcoholic Beverages, Use on Campus**, provides:

The use or possession of alcoholic beverages is expressly prohibited in classrooms, lecture halls, laboratories, the libraries, the chapel, and within buildings or arenas where athletic events, lectures, and concerts are held.

The use of alcoholic beverages is expressly prohibited in all public areas of campus buildings except as indicated in the following two paragraphs:

The use of alcoholic beverages, subject to state law, is permitted in areas designated by, and with the approval of, the Office of the President.

The use of alcoholic beverages at student social events, subject to state law, is permitted in areas designated by, and with the approval of, the Office of the President.

The standards of conduct are reinforced by the WSU Student Code of Conduct, which prohibits the illegal use, possession, manufacture or distribution of drugs and requires compliance with university regulations pertaining to the sale and consumption of alcohol. Potential sanctions range from a reprimand to expulsion. Additionally, the official housing regulations, found in the Community Living Guide, restrict the possession, use and distribution of alcohol in student housing to those over the age of 21; prohibit drugs and drug paraphernalia; provide for sanctions; and further reinforce the above standards of conduct. More detailed housing regulations may be found at housing.wayne.edu/pdf/community-living-guide.pdf.

The university encourages employees and students who may have substance abuse problems to seek professional advice and treatment. Wayne State University employees may obtain confidential assistance through the Wayne

State University Employee Assistance Program at **Ulliance, 800-448-8326; lifeadvisoreap.com**. Students may seek confidential assistance by contacting **Counseling and Psychological Services (CAPS)** at **313-577-3398**. Students may also seek treatment at the **Campus Health Center**, located at 5285 Anthony Wayne Drive, **313-577-5041**.

University policies prohibiting sex discrimination, sexual harassment and sexual assault

Wayne State is committed to providing an education environment and workplace that is free from all forms of sexual misconduct, harassment, discrimination and retaliation. Wayne State is subject to Title IX of the Education Amendments of 1972, a federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Conduct that violates Title IX includes sexual harassment, sexual assault, domestic violence, dating violence, stalking, sex discrimination and retaliation. When an allegation of sexual misconduct is reported, the allegation is subject to resolution under the Wayne State Interim Title IX Sexual Misconduct Policy and Procedures (policies.wayne.edu/appm/10-13-interim-title-ix-sexual-misconduct) or the WSU Non-Discrimination/Affirmative Action Policy (oeo.wayne.edu/pdf/affrm_actn_policy.pdf) and related Wayne State University Policy 2005-03 Discrimination and Harassment Complaint Process, as determined by the Title IX coordinator, and as detailed in these procedures. All proceedings will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. When jurisdiction does not fall within the Interim Title IX Sexual Misconduct Policy as determined by the Title IX coordinator, the WSU Non-Discrimination/Affirmative Action Policy and the Discrimination and Harassment Complaint Process 2005-03 ([**03-discrimination-harassment**\) may be applied. Questions regarding university policies and procedures applicable to all forms of sexual misconduct should be directed to the Title IX coordinator.](https://policies.wayne.edu/academics/05-</p></div><div data-bbox=)

Criminal and WSU definitions

The State of Michigan does not define consent in regard to criminal sexual activity. However, 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." Wayne State University defines "consent" within its Interim Title IX Sexual Misconduct Policy and Procedures as, "the knowing, voluntary and clear permission by word or action to engage in sexual activity." Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity. Consent cannot be given if force, coercion or incapacitation are present.

Force is the use of physical strength or action (no matter how slight), violence, threats of violence, or intimidation (implied threats of violence) as a means to engage in sexual activity. A person who is the object of actual or threatened force is not required to physically, verbally or otherwise resist the aggressor.

Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes it clear that they do not want to engage in certain sexual activity, that they want to stop or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Incapacitation is such that a person is unable to understand what is happening or is disoriented, helpless, asleep or unconscious, for any reason, including by alcohol or other drugs. Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout and/or being drunk.

Sexual assault: Wayne State's sexual assault policy defines sexual assault as including, but not necessarily limited to:



1. Any intentional, unconsented, unwelcome physical contact or threat of unwelcome physical contact or attempt thereof, of: (a) an intimate body part of another person, such as a sexual organ, (b) any body part of another person with one's sexual organs, or (c) any part of another person's body with the intent of accomplishing a sexual act; or
2. Unwanted, inappropriate disrobing of another person, or purposeful exposure of one's genitals to another without the other's consent; or
3. Forcing, or attempting to force, any other person to engage in sexual activity of any kind without his or her consent; or
4. Any behavior that is proscribed as "criminal sexual conduct" under the Michigan Penal Code, notwithstanding whether criminal charges have been brought against the individual alleged to have engaged in such behavior.

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.

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, and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- i: the length of the relationship;
- ii: the type of relationship; and
- iii: the frequency of interaction between the persons involved in the relationship.

State of Michigan definition: "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 1927, 768.27b)

Domestic violence: Felony or misdemeanor crimes 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 who 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.

State of Michigan definition: "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. Refer to the above State of Michigan definition of "dating relationship."

(Michigan Code of Criminal Procedure, Act 175 of 1927, 768.27b)

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.

State of Michigan definition: "Stalking" means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed or molested.

- "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 unconsented contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.
- "Unconsented contact" means any contact with another individual that is initiated or continued without that individual's consent or in disregard of that individual's expressed desire that the contact be avoided or discontinued. (Examples of unconsented contact are included in the Act.)

(Michigan Penal Code, Act 328 of 1931, Sec 750.411h)

General university policies and statutes
WSU statutes and policies prohibit sex discrimination — which includes sexual assault, sexual harassment, domestic and dating violence, stalking, and retaliation — in accord with the requirements of Title IX. These statutes and policies apply to faculty, staff and students and are available online. Any employee or student who violates these policies will be subject to disciplinary action.

UNIVERSITY POLICIES



WSU Statute Prohibiting Sexual Harassment (policies.wayne.edu/appm/3-0-4-sexual-harassment)

Consistent with Michigan law, Wayne State's sexual harassment policy prohibits unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

1. Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment, public accommodations or public services, education, or housing.
3. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating an intimidating, hostile or offensive employment, public accommodations, public services, educational or housing environment.

Investigations of complaints of sexual harassment will be conducted by the appropriate office consistent with the policies and procedures set forth below.

WSU Policy Prohibiting Sexual Assault (policies.wayne.edu/administrative/01-5-sexual-assault)

Sexual assault as defined above is specifically prohibited by Wayne State University **Statute 01-5 Sexual Assault**. Sexual assault also violates the standards of conduct expected of every member of the university community and is strictly prohibited. Any employee or student found to have engaged in sexual assault against another member of the university community will be subject to disciplinary action as set forth below.

Disciplinary action by the university is not intended as a substitute for civil or criminal processes. Members of the university community are accountable both to civil authorities and to the university for acts that constitute violations of law and university policy. Disciplinary action for violation of this policy shall not be subject

to challenge on the grounds that civil or criminal proceedings are pending, or that civil or criminal charges involving the same incident have been invoked, dismissed or reduced.

Investigations of complaints of sexual harassment will be conducted by the appropriate office consistent with the policies and procedures set forth below.

Reporting sexual misconduct

Sexual misconduct encompasses all types of misconduct referred to in this section, including sexual assault, sexual harassment, sex discrimination, domestic and dating violence, stalking, and retaliation.

Any individual who has experienced sexual misconduct by another student, a faculty member or a staff member of the university has the option to report the matter to the university, to law enforcement, to both or to neither, as the individual may choose. In addition, any person — whether the alleged victim, or a parent, friend or bystander — has the right to report sexual misconduct including sex discrimination, sexual harassment and retaliation as set forth below. Per the mandatory reporting requirements below, certain individuals are required to report when they learn of sexual misconduct.

- **Title IX coordinator**

All reports of sexual misconduct, including sex discrimination, sexual harassment and retaliation, may be made to the university's Title IX coordinator:

Brandy Banks, Title IX coordinator
Faculty/Administration Building
656 W. Kirby, Suite 4249
Detroit, MI 48202

Phone: **313-577-9999**

Email: **titleix@wayne.edu**

Website: **titleix.wayne.edu**

Form link: **cm.maxient.com/reportingform**

[php?WayneStateUniv&layout_id=3](https://cm.maxient.com/reportingform.php?WayneStateUniv&layout_id=3)

In addition to reporting to the Title IX coordinator, individuals are encouraged to report sexual misconduct that may also violate criminal law to the Wayne State police at **313-577-2222**. These reporting processes are not mutually exclusive.

- **Deputy Title IX coordinators**

The university has appointed deputy Title IX coordinators from various units across campus that are available to assist individuals with reporting sexual harassment, seeking supportive measures and filing a formal complaint.

Deputy Title IX coordinator for students

David J. Strauss, Ph.D., dean of students
Student Center Building
5221 Gullen Mall, Suite 301
Detroit, MI 48202
313-577-1010
davidstrauss@wayne.edu

Deputy Title IX coordinator for employees

Amy Lammers, associate vice president for equal opportunity
Office of Equal Opportunity
Faculty/Administration Building
656 W. Kirby, Suite 4324
Detroit, MI 48202
313-577-2280
oeo@wayne.edu

Deputy Title IX coordinator for athletics

Candice L. Turner, Ph.D., senior associate athletics director
Matthaei
5101 John C. Lodge, Room 101
Detroit, MI 48202
313-577-3048
candice.turner@wayne.edu

Deputy Title IX coordinator for campus housing

Nikki Dunham, director of residence life
Student Center Building
5221 Gullen Mall, Suite 582
Detroit, MI 48202
313-577-2116
ndunham@wayne.edu

- **Reporting to law enforcement**

Although the university strongly encourages all members of its community to report incidents of criminal sexual conduct to law enforcement, it is the complainant's choice whether to make such a report, and complainants have the right to decline involvement with the police. The university's Title IX coordinator will assist any complainant with notifying the Wayne State police if they choose to do so. Under limited circumstances posing a threat to the health or safety of any university community member,

UNIVERSITY POLICIES



the university may independently notify law enforcement.

University police

Wayne State University Police
Department
6050 Cass Ave.
Detroit, MI 48202
313-577-2222 (emergencies)
313-577-6057 (non-emergencies)

Local police

Detroit Police Department
3rd Precinct
2875 W. Grand Blvd.
Detroit, MI 48202
313-596-1984

The Wayne State police are available 24 hours a day, 7 days a week, 365 days a year. They provide a full range of professional police services to the main and medical campuses as well as surrounding neighborhoods. The Wayne State police are prepared to handle all criminal activity, including incidents involving sexual assault, dating violence, domestic violence and stalking, as well as any emergency.

• Anonymous reporting

Those who wish to make an anonymous report may do so through one of two ways:

WSUPD: police.wayne.edu/contact/tip-line

Office of Internal Audit:
internalaudit.wayne.edu/report or
313-577-5138

The Title IX coordinator will respond promptly and equitably to anonymous reports, but the response may be limited if the report does not include identifying information and/or a description of the facts and circumstances. Anonymous reports that provide enough information to constitute certain criminal offenses will be reported to the WSUPD for purposes of inclusion in the university's Annual Security and Fire Safety Report and to assess whether the university should send a timely warning notice as required by the Clery Act.

What happens after a report is made

Upon receiving a report of sexual misconduct, the Title IX coordinator will contact the complainant to discuss and provide a written explanation of the availability of supportive measures/

resources and inform them of the process for filing a formal complaint and any other rights or options they may have. Throughout this process, the individual alleging sexual misconduct is referred to as the complainant, and the individual accused of sexual misconduct is referred to as the respondent. Procedures for filing a formal complaint are discussed below.

Supportive measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the university's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the university's educational environment, or deter sexual harassment.

The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures, which may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The university shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the university to provide the supportive measures.

Mandatory reporting – responsible employees

Most faculty and staff are considered responsible employees under university policy and are required to share knowledge, notice and/or reports of sexual harassment with the Title IX coordinator. The information to be reported by a responsible employee includes the name of the complainant and respondent and, if known, dates, times, locations and the names of witnesses.

Responsible employees include the following:

- Academic deans
- Dean of students
- Provost
- Department chairs
- Faculty
- Graduate Teaching Assistants (GTAs)
- Chief human resources officer
- WSUPD officers and leadership
- Campus security monitors employed by WSUPD and deployed in major buildings, libraries, housing facilities and satellite facilities to assist with access and security
- Athletic department leadership, including all volunteer and paid levels of coaches and trainers
- Mort Harris Recreation Center leadership and front desk staff
- Housing department desk assistants and community assistants
- Residence life director-level/supervisory staff, community directors and resident advisors
- Student Center director-level/supervisory staff and student supervisors
- Advisors of all recognized student organizations through DOSO employed with the university
- Office of Multicultural Student Engagement director level and program staff
- Student Disability Services
- Office of International Education study abroad leaders (faculty and staff)
- Designated student affairs coordinators and program officers in all schools, colleges and divisions
- Academic advisors

Confidential resources

Confidential resources are available both on and off campus to any complainant who would like the details of an incident to be kept confidential. These individuals and agencies will maintain confidentiality when working within the scope of their licensure, professional ethics and/or professional credentials, except in extreme cases of immediacy of threat



or danger; abuse of a minor, elder or individual with a disability; or when required to disclose by law or court order.

On-campus confidential resources

- Counseling and Psychological Services (CAPS)
- Campus Health Center
- The Counseling and Testing Center within the College of Education
- The WSU Psychology Clinic
- On-campus members of the clergy/chaplains/priests working within the scope of their licensure or ordination

- Employee Assistance Program (EAP)

Off-campus confidential resources

- Licensed professional counselors and other medical providers
- Rape crisis counselors
- Domestic violence resource organizations
- Local or state assistance agencies
- Clergy/chaplains
- Attorneys

WSU employees who are confidential will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client or patient.

Recommended steps for victims of dating violence, domestic violence, sexual assault or stalking

If you are a victim of sexual misconduct, it is important to preserve any evidence that may assist in proving that the sexual misconduct occurred. Preservation of evidence may also help in obtaining a personal protection order. For your safety and well-being, immediate medical attention is encouraged. Being examined as soon as possible, ideally within 120 hours, is especially important in the case of sexual assault. Sexual assault nurse examiners are available at Detroit Receiving Hospital and will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement. The following additional steps are recommended in order to preserve evidence:

- If possible, do not bathe, shower, eat, drink, smoke, brush your teeth, urinate,

defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.

- Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent items that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean bedsheet to avoid contamination.
- If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
- Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.
- Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind yourself of details, if you have time and the ability to do so.

In addition to contacting the police, victims of sexual misconduct or other crimes are also encouraged to immediately go to a safe place and speak with someone they trust. Additional resources, including Title IX, counseling resources, and community resources such as the Avalon Healing Center are found below in this report.

TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCESS

Title IX sexual misconduct policy and procedures

The university will take action to respond to allegations of sexual harassment prohibited by the interim Title IX policy when the university has actual knowledge that sexual harassment has occurred. Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the university's Title IX

coordinator or any university official with authority (OWA) to institute corrective measures for harassment, discrimination and/or retaliatory conduct on behalf of the university. Notice, as used in this definition, includes, but is not limited to, a report of sexual harassment to the Title IX coordinator.

Under the interim Title IX policy, sexual harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

A university employee conditioning the provision of an aid, benefit or service of the university on an individual's participation in unwelcome sexual conduct.

Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the university's education program or activity

"Sexual assault," as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), as more fully defined above.

"Stalking," "dating violence" and "domestic violence," as defined by Violence Against Women Reauthorization Act of 2013 ("VAWA") as more fully defined above.

Rights within disciplinary proceedings

Pursuant to this grievance process, complainants and respondents can expect the following:

- a. Prompt and equitable resolution of allegations of prohibited conduct.
- b. The university will treat complainants and respondents equitably by following the grievance process in these procedures before the imposition of any disciplinary sanctions or other actions that are not supportive measures as defined in these procedures against a respondent.
- c. Privacy in accordance with these procedures and any legal requirements.
- d. Reasonably available and appropriate supportive measures, as described in these procedures.
- e. A presumption that the respondent is



not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

- f. The university to issue appropriate remedies to a complainant where a determination of responsibility has been made against the respondent pursuant to the grievance process set forth in these procedures.
- g. Any remedies issued by the university shall be designed to restore or preserve equal access to the university's education program or activity.
- h. The imposition of disciplinary sanctions or other actions that are not supportive measures against a respondent will be imposed pursuant the grievance process set forth in these procedures.
- i. An objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence.
- j. Credibility determinations shall not be based on a person's status as a complainant, respondent or witness.
- k. The university Title IX coordinator, investigator, decision-maker or any person designated by the university to facilitate its informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- l. Freedom from retaliation as further defined and described in these procedures.

Formal complaints

A formal complaint is an official document filed by the alleged victim (referred to as the complainant) alleging sexual harassment against a respondent and requesting that the university investigate the allegation of sexual harassment.

The university expects that all complaints will be filed in good faith.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in a Wayne State University education program or activity.

How to file a formal complaint

A complainant may file a formal complaint with the Title IX coordinator in person, by mail, by phone, via the online

reporting form or by electronic mail. Where the Title IX coordinator signs a formal complaint, the Title IX coordinator is not a complainant or otherwise a party.

Notice to be provided upon receipt of a formal complaint

Upon receipt of a formal complaint, the Title IX Office will provide the following written notice simultaneously to the parties who are known:

- a. Notice of the university's grievance process, including any formal resolution process.
- b. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including identification of the parties involved, date and location of the alleged incident, if known, providing sufficient time to prepare a response before any initial interview.
- c. Notice of additional allegations if, in the course of an investigation, the university decides to investigate allegations about the complainant or respondent that are not included in the initial notice(s) provided pursuant to this section.
- d. Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- e. Notice that the parties may have an advisor of their choice as stated in these procedures.
- f. Notice of conduct provisions that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.
- g. Notice of any interim measures provided.
- h. Detail on how the party may request disability accommodations during the interview process.
- i. The name(s) of the investigator(s), along with a process to identify, in advance of the interview process, to the Title IX coordinator any conflict of interest that the Investigator(s) may have.

Consolidation of formal complaints

The university may consolidate formal

complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular "party," "complainant," or "respondent" include the plural, as applicable.

Dismissal of formal complaint

The university must investigate the allegations in a formal complaint. The following basis for mandatory and discretionary dismissal will be applied:

Mandatory dismissal

The university shall dismiss a formal complaint, or allegations therein, for purposes of sexual harassment under Title IX where:

- The conduct alleged in the formal complaint would not constitute sexual harassment as defined in these procedures even if proved;
- The conduct did not occur in the university's education program or activity; or
- The conduct did not occur against a person in the United States.

Such a dismissal does not preclude action under another provision of the Wayne State University Policy 2005-03 Discrimination and Harassment Complaint, Student Code of Conduct, or applicable collective bargaining agreement.

Discretionary dismissal

The university may dismiss a formal complaint, or allegations therein, if at any time during the investigation or hearing:

- A complainant notifies the Title IX coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by the university; or
- Specific circumstances prevent the university from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.



Upon a mandatory or discretionary dismissal, the university shall promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

Investigation of formal complaint

When investigating a formal complaint and throughout the grievance process, the university will:

- a. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the university and not on the parties.
- b. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- c. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- d. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding except subject to the restrictions stated in these grievance procedures.
- e. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- f. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the university does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- g. Prior to completion of the investigative report, the university shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties shall have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The university shall make all such evidence subject to the parties' inspection, and shall make review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
- h. The university shall create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Hearing process

The university shall provide a live hearing under these grievance procedures, which may be conducted in person or virtually at the university's option. The following applies with respect to live hearings:

- a. At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of the university to otherwise restrict the extent to which advisors may participate in the proceedings.
- b. At the request of either party, the university shall provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.
- c. Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- d. If a party does not have an advisor present at the live hearing, the university must provide without fee or charge to that party an advisor of the university's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
- e. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- f. The decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
- g. Live hearings pursuant to this paragraph may be conducted with all parties physically present in the same geographic location or, at the university's discretion, any or all parties, witnesses and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- h. The university shall create an audio or audiovisual recording or transcript of any live hearing and make it available to the parties for inspection.

Determination regarding responsibility

After the completion of the live hearing, the decision-maker(s) who cannot be the same person(s) as the Title IX coordinator or the investigator(s), shall issue a written



determination regarding responsibility using the preponderance of the evidence standard as defined in these procedures. The written determination shall include:

- a. Identification of the allegations potentially constituting sexual harassment.
- b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- c. Findings of fact supporting the determination.
- d. Conclusions regarding the application of the university's code(s) of conduct to the facts.
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided by the university to the complainant.
- f. The university procedures and permissible bases for the complainant and respondent to appeal.

The university shall provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the university provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX coordinator is responsible for effective implementation of any remedies.

Informal resolution

The parties may agree to informally resolve a formal complaint through an alternate resolution mechanism such as mediation ("informal resolution process"). The informal resolution process, however, is not available to resolve a formal complaint that an employee sexually harassed a student, nor to resolve cases involving sexual assault. Either party may seek assistance in obtaining an informal resolution from

the Title IX coordinator, who can arrange to have a trained representative facilitate a meeting or meetings between the parties. The availability of the informal resolution process, and any resolution reached, is subject to the agreement of the Title IX coordinator (or designee), the complainant and the respondent. The university may decline a request by the parties to engage in an informal resolution process and may terminate the informal resolution process at any time.

Through the informal resolution process, the formal complaint may be resolved on any basis acceptable to the parties and the Title IX coordinator. For example, the matter may be resolved by providing supportive measures sufficient to restore equal access to the university's education programs or activities, or where the respondent accepts responsibility for violating the Title IX policy and the sanction or remedy for such violation.

Participation in an informal resolution process is strictly voluntary. The parties' voluntary, written consent is required to engage in this process. The university will not compel the parties to engage in informal resolution, will not compel a complainant to directly confront the respondent, and will allow a complainant or respondent to withdraw from the informal resolution process at any time prior to agreeing to a resolution and resume the grievance process with respect to the formal complaint.

The informal resolution process is intended to be flexible and undertaken in the reasonable discretion of the Title IX coordinator, so as to address an individual's situation in the most effective and expeditious manner possible.

The Title IX coordinator may attempt to facilitate a resolution to the issue presented without a formal investigation; however, under the informal resolution process, the investigator shall only be required to conduct such fact finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties, the university and the community.

Pursuing informal resolution does not preclude later use of the formal investigation process prior to a hearing and written determination.

In cases where informal resolution is

chosen by the parties, they will receive a written notice disclosing the allegations, along with a copy of the procedures setting forth the requirements of the informal resolution process. The written notice will also state any sanctions or measures that may result from participating in such process, including records that will be maintained or could be shared by WSU.

The informal resolution process may utilize any combination of interventions and remedies. If an agreement is acceptable to the university, the complainant and the respondent are reached through informal resolution, the terms of the agreement are put in writing and are implemented, and the matter is resolved and closed.

Once the matter is resolved and closed, the parties are precluded from resuming a formal complaint arising from the same allegations. If an agreement is not reached, the formal grievance process will have been delayed by length of time devoted to the informal resolution process, and the formal grievance process will continue.

The time period for resolution of a formal complaint through the informal resolution process is 60 days. The university may temporarily delay the informal resolution process or provide a limited extension of time for good cause with written notice, 1) to the complainant and respondent of the delay or extension, 2) the reasons for the action, and 3) an estimate of the anticipated additional time that will be needed as a result of the delay. If the formal complaint is not resolved within this time frame, the formal grievance process will resume.

Remedies

The university will provide appropriate remedies to a complainant where a finding of responsibility has been made against a respondent. Remedies issued by the university must be designed to restore or preserve equal access to the university's education program or activity. Such remedies may include the same individualized services described as "supportive measures" in these procedures. However, remedies need not be non-disciplinary or non-punitive, and need not avoid burdening the respondent.



Appeal process

Either complainant or respondent may file a request for appeal from 1) a determination regarding responsibility following a hearing or 2) the dismissal of a formal complaint or any allegation therein. The request for appeal must be submitted in writing to the Title IX coordinator within seven days of the delivery of a written determination regarding responsibility or dismissal of a formal complaint or allegation therein and state the grounds for appeal. The time period from the initiation of an appeal until the issuance of a written determination of that appeal is 30 days. The university may provide for a temporary delay or a limited extension of time for the entire appeal process, or for any specific appeal process deadline, for good cause and with written notice notifying to the complainant and respondent of the delay or extension, the reasons for the action and providing an estimate of the anticipated additional time that will be needed as a result of the delay.

The Title IX coordinator will notify the other party in writing that an appeal has been filed and forward the request for appeal to the appeals officer, who will determine whether any grounds for appeal, as set forth below, are met. The appeals officer will make this determination within five days of receipt of the request for appeal.

The president or their designee will serve as the appeals officer. The following individuals may not serve as appeals officer:

- The decision-maker(s) in the underlying proceeding;
- Any investigator in the matter; or
- The Title IX coordinator.

The appeals officer will be free of any conflict of interest or bias for or against complainants or respondents generally, or an individual complainant or respondent, and will receive requisite training on the definition of sexual harassment, the scope of the university's education program or activity, and how to conduct an investigation and a grievance.

A determination in a Title IX matter will be considered final if 1) neither party appeals or 2) the appeals process has

concluded; e.g., when a final decision is made on appeal or remand and there is no further appeal following remand. If the appeals officer remands the matter to the hearing officer and a decision or sanction is changed on remand, either party may appeal on any permitted grounds and pursuant to the procedures set forth herein.

All notices referenced in this section will be provided by email. For students, faculty and staff, notice will be sent to their university email address. Once emailed, notice will be presumptively delivered.

Grounds for appeal and notice

Appeals are limited to the following grounds:

1. Procedural irregularity that materially affected the outcome of the matter.
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal of a formal complaint or allegation therein was made, and the new evidence could materially affect the outcome of the matter.
3. The Title IX coordinator, 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 materially affected the outcome of the matter.
4. Mistake of applicable law or regulations, or mistake of terms as defined by the university in this policy that materially affected the outcome.

The appeals officer's initial review of the request for appeal is not a review of the merits of the appeal, but solely a determination as to whether the request for appeal meets any of the grounds for appeal set forth herein and is timely filed.

The appeals officer will provide written notification to the parties and their advisors if the grounds for appeal are not met and/or if the appeal is not timely filed.

If any of the grounds for appeal are met and the appeal is timely filed, the appeals officer will provide written notification to the parties, their advisors, the Title IX coordinator and, if appropriate, the investigators and/or hearing officer, along

with a copy of the request for appeal and approved grounds for appeal. The appealing party will be given seven days from receipt of the written notification to submit a written statement to the appeals officer in support of the outcome requested on appeal. The appeals officer will forward the written statement to all parties. The party opposing the appeal will then be given seven days from receipt of the appealing party's written statement to submit a written statement in opposition to the outcome requested on appeal. Upon receipt, the appeals officer will forward the written opposition statement to the other party for review and comment.

Neither party may submit a request for appeal after the time period to do so has expired.

Review of appeal

The appeals officer will collect all information and documentation relevant to the grounds for appeal, including the written statements and any comments submitted by the parties.

Following an objective review of the relevant information and documents, the appeals officer will issue a written decision in no more than 14 days, unless the time period is extended or delayed in accordance with the procedure stated above. The appeals officer will consider only the issue on appeal and will not reconsider findings of fact made by the hearing officer. The appeals officer will not weigh the credibility of witnesses. Deference will be given to the hearing officer.

Any sanctions imposed will be stayed during appeal. Supportive measures may be implemented for the duration of the appeal.

Appeal outcome and remedies

The appeal outcome may include affirming the original decision, reversing the decision and/or remanding the matter to the hearing officer with specific instructions. Remedies available on remand are the same as those available at the initial hearing.

The appeals officer will send a written notice of the appeal outcome to all parties and their advisors simultaneously. The notice of appeal outcome will specify



the findings, decision and rationale for the decision on each approved ground for appeal, as well as any instructions for remand where applicable.

In cases in which the appeal results in the respondent's reinstatement to the university or resumption of privileges, all reasonable attempts will be made to restore the respondent to their prior status to the extent possible.

Prohibition on retaliation

University policy and federal law prohibit retaliation taken against an individual for making a good faith report or complaint of sexual misconduct or other conduct prohibited under this policy; testifying, assisting, participating or refusing to participate in any proceeding under this policy; supporting a complainant or respondent; providing information relevant to an investigation under this policy; or otherwise opposing conduct prohibited by this policy (collectively, "protected activity").

Retaliation includes any materially adverse action taken by the university or any member of the university community, including but not necessarily limited to intimidation, threats, coercion, harassment or discrimination against an individual for engaging in protected activity.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under Title IX or these procedures. Retaliation does not include any disciplinary measures or other adverse action taken for making a bad faith report or complaint, or for making a materially false statement in bad faith in the course of any investigation or proceeding under this policy, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Any person who believes they have been subjected to retaliation should immediately notify the Title IX coordinator. Any alleged retaliation will be promptly investigated.

The university will not share the identity of an individual making a report of retaliation or any witnesses thereto except where permitted by the Family Educational Rights and Privacy Act (FERPA); where required by law; or where necessary to conduct an investigation, hearing or grievance process

under this policy.

Record keeping

The university shall maintain for a period of seven years:

- Records of any investigations conducted pursuant to this policy, including any determination regarding responsibility.
- Any required audio or audiovisual recording or transcript.
- Any disciplinary sanctions imposed on the respondent.
- Any remedies — including any supportive measures — provided to the complainant designed to restore or preserve equal access to the university's education program or activity.
- Records related to any appeal and the result therefrom.
- Records related to any informal resolution and the result therefrom.
- All materials used to train Title IX coordinators, investigators, decision-makers and any person who facilitates an informal resolution process. The university shall make these training materials publicly available on its website; if the university does not maintain a website, the university shall make these materials available upon request for inspection by members of the public.

The university shall also create and maintain for a period of seven years any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the university shall document the basis for its conclusion and that it has taken measures designed to restore or preserve equal access to the university's education program or activity.

If the university does not provide a complainant with supportive measures, then the university must document the reasons. The documentation of certain bases or measures does not limit the university in the future from providing additional explanations or detailing additional measures taken.

Office of Civil Rights

Questions about the Interim Title IX Sexual Misconduct Policy and Procedures, Title IX, and the applicability of Title IX to the university should be directed to the Title IX coordinator or to the Assistant Secretary of Education for the U.S. Department of Education, or both. The

following is contact information for the U.S. Department of Education:

Office for Civil Rights (OCR)

U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Phone: **800-421-3481**
Fax: **202-453-6012**
TDD: **877-521-2172**
Email: ocr@ed.gov
Website: ed.gov/ocr

Michigan, Ohio Office for Civil Rights- Cleveland Office

U.S. Department of Education
1350 Euclid Avenue, Suite 325
Cleveland, OH 44115-1812
Phone: **216-522-4970**
Fax: **216-522-2573**
TDD: **800-877-8339**
Email: ocr.cleveland@ed.gov

In addition to the above, U.S. Department of Education complaints related to the Wayne State University School of Medicine may be made to:

Office for Civil Rights

U.S. Department of Health and Human Services
200 Independence Avenue, SW
Room 509F, HHH Building
Washington, D.C. 20201
Phone: **800-368-1019**
TDD: **800-537-7697**

Office for Civil Rights

U.S. Department of Health and Human Services
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
Phone: **800-368-1019**
Fax: **202-619-3818**
TDD: **800-537-7697**
Email: ocrmail@hhs.gov

COMPLAINTS INVESTIGATED UNDER THE WSU NON-DISCRIMINATION/ AFFIRMATIVE ACTION POLICY

Sexual misconduct cases that do not fall within the jurisdiction of the Interim Title IX Sexual Misconduct Policy and Procedures may be investigated pursuant to the WSU Non-Discrimination/Affirmative Action Policy below. Application of the appropriate policy is the determination of the Title IX coordinator.



The WSU Non-Discrimination/Affirmative Action Policy (oee.wayne.edu/pdf/affrm_actn_policy.pdf)

The Non-Discrimination/Affirmative Action Policy states that Wayne State University is committed to non-discrimination and equal opportunity in all of its operations, employment opportunities, educational programs and related activities. This policy embraces all persons regardless of race, color, sex (including gender identity), national origin, religion, age, sexual orientation, familial status, marital status, height, weight, disability or veteran status, and expressly forbids sexual harassment and discrimination in hiring, terms of employment, tenure, promotion, placement and discharge of employees, admission, training and treatment of students, extracurricular activities, the use of university services and/or facilities, and the awarding of contracts. This policy also forbids retaliation and/or any form of harassment against an individual as a result of filing a complaint of discrimination or harassment, or participating in an investigation of a complaint of discrimination or harassment. It shall not preclude the university from implementing those affirmative action measures, to the extent permitted by law, which are designed to achieve full equity for minorities and women.

As an equal opportunity/affirmative action employer, the university complies with all applicable federal and state laws regarding non-discrimination and affirmative action. In furtherance of this policy, the university is also committed to promoting institutional diversity to achieve full equity in all areas of university life and service, and in those private clubs and accommodations that are used by university personnel. No off-campus activities sponsored by or on behalf of Wayne State University shall be held in private club facilities or accommodations which operate from an established policy barring membership or participation on the basis of race, color, sex (including gender identity), national origin, religion, age, sexual orientation, familial status, marital status, height, weight, disability or veteran status. Affirmative action procedures, measures and programs may be used to the extent permitted by law to establish, monitor and implement

affirmative action plans for all budgetary units and the university as a whole.

Overall responsibility for implementation of the Non-Discrimination/Affirmative Action Policy and university compliance with all applicable federal, state and local laws and regulations has been delegated by the president to the **Office of Equal Opportunity (OEO)**. Complaints for violation of this policy can be made to OEO at **313-577-2280** or at oee.wayne.edu.

Discrimination and Harassment Complaint Process

The Discrimination and Harassment Complaint Process can be found at policies.wayne.edu/05-03-discrimination-harassment.php. If, after an initial assessment, the OEO decides that the concerns raised fall within the jurisdiction of the OEO and that the allegations, if sustained, would be reasonably likely to result in the need for prompt remedial measures potentially involving disciplinary action, a formal written complaint will be initiated. This process is handled by the OEO.

Once a finding is made under this process, the associate vice president/director of OEO issues a notice of disposition, which includes a finding that there is, either a) insufficient cause to conclude that the respondent engaged in conduct in violation of the university's policies on sexual assault, sexual harassment or sex discrimination, or b) probable cause that the respondent engaged in such conduct. The notice of disposition will be provided at the same time to the reporting and responding parties and to the vice president or dean of the unit where the respondent is employed. Where prompt remedial action is required, which can include disciplinary action, the vice president or dean of the unit where the respondent is employed is responsible for implementing the prompt remedial action consistent with any relevant collective bargaining agreements and other university statutes, such as **University Policy 2005-03 and BOG Statute 2.51.01, Appointments, Continuing Tenure, Termination and Dismissal Policies and Procedures for Faculty**.

If the complainant, respondent, vice president or dean is dissatisfied with the notice of disposition, they may file an

appeal to the chief of staff within 14 days after the final notice of disposition has been issued. The appeal may only be filed on the basis that the investigation failed to include evidence that was available and should have been taken into consideration prior to the final disposition; the investigation failed to comply with the process and procedures that must be followed during the investigation process; taking the evidence in the light most favorable to the prevailing party, the outcome is not consistent with the non-discrimination or harassment policy; or the proposed remedial measure is inconsistent with other university policy or collective bargaining agreements. The chief of staff will independently review the appeal and may receive additional information if at his or her discretion such information is necessary to the review. The chief of staff's decision on the recommendation of the OEO will be final.

Retaliation

Similar to complaints investigated under the university's Title IX policies, retaliation against any person for filing a complaint or for participating in an inquiry or an investigation of a complaint is strictly prohibited. Such retaliation constitutes a separate basis for complaint under university policy.

Disciplinary sanctions

The following sanctions may be imposed upon a student or employee who is found to have violated the university's policies prohibiting sexual misconduct, including WSU's sexual harassment and sexual assault policies, Title IX policies, and OEO policies:

Student sanctions

- **Warning:** A formal statement that the behavior was unacceptable and a warning that further infractions of any university policy, procedure or directive will result in more severe sanctions/responsive actions.
- **Probation:** A written reprimand for violation of university policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any university 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 co-curricular activities, exclusion



from designated areas of campus, no-contact orders and/or other measures deemed appropriate.

- **Suspension:** Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at Wayne State University. At the discretion of the Title IX coordinator, this sanction may be noted as a disciplinary suspension on the student's official transcript.
- **Expulsion:** Permanent termination of student status, revocation of rights to be on campus for any reason or attend university-sponsored events. This sanction will be noted as a conduct expulsion on the student's official transcript.
- **Withholding diploma and/or official transcripts:** The university may withhold a student's diploma and/or official transcripts for a specified period of time, and/or deny a student participation in commencement activities, if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- **Revocation of degree:** The university reserves the right to revoke a degree previously awarded from the university for fraud; misrepresentation or other violation of university policies, procedures, or directives in obtaining the degree; or for other serious violations committed by a student prior to graduation.
- **Organizational sanctions:** Deactivation, loss of recognition, loss of some or all privileges (including university registration) for a specified period of time.
- **Supportive measures:** As defined in these procedures.
- **Other actions:** In addition to or in place of the above sanctions, the university may assign any other sanctions as deemed appropriate.

Employee sanctions

- Warning – verbal or written
- Performance improvement/management process
- Required training or education
- Probation
- Loss of annual pay increase
- Loss of oversight or supervisory responsibility
- Demotion
- Suspension with pay
- Suspension without pay
- Termination
- Other actions

Discipline and sanctions for employees will be issued consistent with **WSUCA 2.51.01, Appointments, Continuing Tenure, Termination and Dismissal Policies and Procedures for Faculty; WSUCA 2.52.01, Appointments, Tenure, Employment Security Status, Termination and Dismissal Policies and Procedures for Academic Staff; and Union Collective Bargaining Agreements (CBA)** to the extent applicable and **not inconsistent** with Title IX and the procedures stated herein.

All proceedings that may lead to disciplinary sanctions, whether under Title IX or the Non-Discrimination Affirmative Action Policy, will be conducted in a prompt, fair and impartial manner from the time of the initial investigation through the final result.

Amnesty for alcohol and other drug use

An individual who reports sexual misconduct, as either a complainant or witness, will not receive disciplinary action by the university for using alcohol or other drugs around or during the incident.

Personal protection orders

In addition to no-contact orders issued by the university, victims may seek a personal protection order in the family division of the appropriate circuit court. Information about how to file for a personal protection order is available at michiganlegalhelp.org/self-help-tools/personal-safety/overview-of-personal-protection-orders. WSUPD provides assistance to victims filing for personal protection orders as needed.

If you obtain a court-ordered personal protection order, please let the WSUPD know and provide them with a copy. The

university will uphold such lawfully issued orders and enforce them through the WSUPD.

Campus and community resources

Resources are available for individuals who have experienced any form of sexual misconduct, including dating violence, sexual assault, stalking, sex discrimination or harassment. Wayne State University and various organizations in the broader community offer crisis intervention, safety planning, information, referrals and support for victims, concerned individuals (friends/family/co-workers) and others seeking information and guidance to help someone they know.

For additional resources and information regarding the types of assistance provided by the listed units and organizations, visit titleix.wayne.edu/resources.

UNIVERSITY POLICIES



University resources

Title IX Office

Website: titleix.wayne.edu

Location: 4249 Faculty/Administration Building

Email: titleix@wayne.edu

Phone: 313-577-9999

Dean of Students Office (DOSO)

Website: doso.wayne.edu

Location: 301 Student Center Building

Email: doso@wayne.edu

Phone: 313-577-1010

Counseling and Psychological Services (CAPS)

Website: caps.wayne.edu

Location: 5221 Gullen Mall, Rm. 552, Student Center Building

Email: caps@wayne.edu

Phone: 313-577-3398

After-hours phone: 313-577-9982

Campus Health Center

Website: health.wayne.edu

Location: 5285 Anthony Wayne Drive

Email: campushealth@wayne.edu

Phone: 313-577-5041

Wayne State Police (WSUPD)

Website: police.wayne.edu

Location: 6050 Cass Ave.

Detroit, MI 48202

Email: wsupdis@wayne.edu

Phone: 313-577-2222

Office of Equal Opportunity (OEO)

Website: eoe.wayne.edu

Location: 656 W. Kirby Ave., Ste. 4324, Faculty/Administration Building

Email: eoe@wayne.edu

Phone: 313-577-2280

Office of Internal Audit

Website: internalaudit.wayne.edu

Location: 5700 Cass Ave., Ste. 3300, Academic/Administrative Building

Phone: 313-577-5138

Ombuds Office

Website: wayne.edu/ombuds

Location: 5221 Gullen Mall, Rm. 301, Student Center Building

Email: ombudsoffice@wayne.edu

Phone: 313-577-3487

Ulliance Employee Assistance Program

Website: lifeadvisoreap.com

24-hour hotline: 800-448-8326

Community resources

Michigan Sexual Assault and Abuse Hotline

Website: michigan.gov/voices4

24-hour hotline: 855-864-2374

(855-VOICES4)

24-hour text messaging: 866-238-1454

Avalon Healing Center

Website: avalonhealing.org

Location: 2727 Second Ave., Suite 300, Detroit, MI 48201

24-hour hotline: 313-474-7233

Phone: 313-964-9701

Detroit Police Department – 3rd Precinct

Location: 2875 W. Grand Blvd., Detroit, MI 48202

Phone: 313-596-5300

Detroit Police Victim's Assistance Program

Location: 4707 St. Antoine, M-167, Detroit, MI 48201

Phone: 313-833-1660

Detroit Receiving Hospital

Website: dmc.org

Location: 4201 St. Antoine, Detroit, MI 48201

Emergency room phone: 313-745-3356

Main phone: 313-745-3000

First Step

Website: firststep-mi.org

24-hour hotline: 734-722-6800

HAVEN

Website: haven-oakland.org

24-hour hotline: 248-334-1274

TTY: 248-972-2540

Turning Point

Website: turningpointmacomb.org

24-hour hotline: 586-463-6990

Planned Parenthood- Detroit Health Center

Website: plannedparenthood.org

Location: 4229 Cass Ave., Detroit, MI 48201

Phone: 313-831-7776

National resources

Rape, Abuse & Incest National Network (RAINN)

Website: rainn.org

24-hour hotline: 800-656-4673

National Domestic Violence Hotline

Website: thehotline.org

24-hour hotline: 800-799-7233

TTY: 800-787-3224

Love is Respect

Website: loveisrespect.org

24-hour hotline: 866-331-9474

TTY: 866-331-8453

Emergency response and evacuation procedures

WSU's Crisis Management Team is committed to providing a safe environment for students, faculty and employees.

The team — led by the executive vice president and chief of staff — meets at least quarterly to prepare for potential crises, conducts crisis simulations, develops and updates university protocols, and provides leadership during a crisis, drawing on the expertise of campus subject matter experts.

WSU emergency response procedures:

Police or medical emergency:

call the WSUPD at

313-577-2222.

DO NOT CALL 911.

Injuries/exposures requiring medical attention:

call the WSUPD at

313-577-2222.

DO NOT CALL 911.

Fires:

call the WSUPD at

313-577-2222.

DO NOT CALL 911.

Pull the closest fire alarm.

Hazardous material spills:

call WSUPD at

313-577-2222.

DO NOT CALL 911.

Satellite campus safety concerns: **call 911**

If called, the dispatch officer will make the appropriate fire and/or medical rescue call and notify the shift commander, who will determine whether the chief of police should be notified.



In turn, the chief of police will make the initial assessment and contact the chief of staff, who will then implement additional proper response procedures. A critical part of this process is keeping key stakeholders — including students, faculty, staff and their families — informed.

An electronic version of the WSU Emergency and Safety Procedures flipchart is available on the Enterprise Risk Management and Insurance Programs (ERM) website at risk.wayne.edu/procedures. These procedures are also listed on the WSUPD website, police.wayne.edu/procedures.

This color-coded flipchart has been developed by the ERM to help Wayne State employees and students residing on campus minimize the negative effects from emergencies, disasters, accidents, injuries and crimes that can occur without warning. It contains emergency phone numbers on the cover of the chart, and there are written procedures for the following:

- Civil disturbance
- Water damage/loss
- Safety procedures
- Tornado/severe weather
- Explosives
- Power outage
- Biological/radioactive spills
- Crime prevention tips
- Bomb threats/suspicious packages
- Medical emergencies
- Fire
- Workplace violence
- Chemical spills/chemical fires
- Evacuation

WSU evacuation procedures:

Each WSU-owned/leased facility has an emergency evacuation plan and procedure specific to its location, developed by the highest-ranking individual user of the facility and posted therein. In the event of a fire or other building emergency, the alarm system will sound. When an alarm sounds, occupants of the building should immediately leave the building in an orderly manner by means of the nearest exit to a predetermined location

and begin verifying that everyone in the facility is accounted for. Occupants should shut down any experiments, procedures, etc. that should not be left unattended; extinguish any open flames; and shut off flammable or noxious gas-supply valves. The building coordinator of each building or facility is required to maintain and annually update a list containing the names, phone numbers and floors/assigned areas of all mobility impaired/disabled persons within their designated facility. In the event of an emergency in their designated facility, the building coordinator must provide this list to the responding WSUPD and Detroit Fire Department personnel.

During the evacuation of any Wayne State facility, all mobility impaired/disabled persons who are above the level of exit discharge shall be placed in an “area of refuge,” e.g., a fire-rated construction room or enclosed emergency exit stairwell. In addition, predetermined facility occupants who are assigned responsibility for evacuation of a particular floor shall assist mobility impaired/disabled persons into the area of refuge after all persons on that floor have evacuated. Unless department/facilities have special evacuation equipment, e.g., an emergency evacuation wheelchair, the responsibility for removal of mobility impaired/disabled persons rests with the WSUPD or Detroit Fire Department personnel.

Certain high-rise residential buildings have an “area of rescue,” which is a two-way communication system at the elevator/elevator lobby. The call station buttons provide direct communication with WSU Police Dispatch.

Other measures in place to protect the campus include:

- Every college and division at Wayne State has prepared a continuity of operations plan that pinpoints essential services, contingent decision-makers, phone trees, location of vital records, and critical hardware and software.
- A detailed inventory of available emergency communication channels, target audiences, when to deploy messages and what communication mode to use. The inventory identifies who is responsible for the content and activation of the communication vehicle.
- The development of message templates for the university’s Broadcast Messaging

Service, covering a broad array of crises from weather-related closures to explosion to catastrophic illness.

- Students living in residential housing may create personal preparedness plans, listing an evacuation location and emergency contact information.
- Inclusion in the Michigan Public Safety Communication System, enabling WSUPD to communicate digitally with other federal, state and local law enforcement agencies. This ensures secure communications and maximum coordination among multiple jurisdictions.
- Purchase of advanced ballistic body armor and patrol rifles for WSUPD to be used in the event of an active attacker situation.

Missing Student Notification Policy

In compliance with the Higher Education Opportunity Act, the university has established a Missing Student Notification Policy, which describes the formal notification procedures the university will follow when a student residing in campus housing has been reported missing for more than 24 hours. The policy provides a framework for cooperation among members of the Wayne State University community, aimed at locating and assisting students who reside in campus housing and are reported missing.

Campus housing is defined as the residence halls and apartments that are located within the university campus and owned and operated by WSU. They are currently: Anthony Wayne Drive Apartments, Leon H. Atchison Hall, Chatsworth Suites, Yousif B. Ghafari Hall, The Thompson, Towers Residential Suites and University Tower Apartments.

A student who resides in campus housing will be deemed missing when he or she is reported absent from campus housing for more than 24 hours without any known reason.

All reports of missing students shall be directed to the WSUPD, which shall investigate each report and make a determination whether the student is missing in accordance with this policy.



The WSU dean of students and director of residential life shall have the responsibility to make known to and available to students the provisions of this policy, and the procedures set forth herein. A missing student confidential contact information form shall be made available to students through the Office of Housing and Residential Life and through the Dean of Students Office.

Notification procedures:

1. Any report of a missing student, from whatever source, should immediately be directed to WSUPD.
2. When a student is reported missing, WSUPD shall:
 - a. Notify the dean of students and the director of residential life (if the director was not the reporting party).
 - b. Notify the president, provost and senior vice president for academic affairs, executive vice president, vice president and general counsel, associate vice president for student auxiliary services and chief housing officer, and registrar.
- c. Conduct a thorough investigation to determine the validity of the missing student report. If it is determined that the student is not missing, the student will be asked to make contact with the person who reported the student missing.
- d. If it is determined that the student is missing, WSUPD must:
 - i. Notify the individual identified by the missing student as the confidential contact within 24 hours of making the determination that the student is missing.
 - ii. If the missing student is under the age of 18 and not an emancipated individual, notify the student's custodial parent or guardian as contained in the records of the university within 24 hours of the determination that the student is missing.
 - iii. Regardless of whether the student has identified a contact person, is above the age of 18 or is an emancipated minor, notify the local police department where the student was last reported seen (if other than on campus) not later than 24 hours

after the determination that the student is missing.

3. When a student is reported missing to the dean of students, the dean of students shall:
 - a. Notify the WSUPD, if they have not already been contacted.
 - b. Notify the Behavioral Intervention Team (BIT) members.

Student contact information:

All students shall have the opportunity, through the Office of Housing and Residential Life, to confidentially identify an individual to be contacted by the university in case a student is reported missing. This confidential contact is deemed non-directory information under the Family Educational Rights and Privacy Act (FERPA). Only authorized campus officials and law enforcement officers may have access to the confidential contact information in furtherance of the missing person investigation.

Student notification of this policy:

- a. This policy will be included on the Dean of Students Office website.
- b. This policy will be included on the Office of Housing and Residential Life website.
- c. This policy will be discussed during beginning of semesters/mandatory residential hall meetings.
- d. This policy will be sent to students residing on campus by university email at the beginning of each academic semester.
- e. This policy will be included in the annual Office of Housing and Residential Life Community Living Guide.

If residing on campus, students are urged to complete a missing student confidential contact information form. Forms may be obtained at the front desk of all residence halls and apartment buildings.

Nothing in this policy shall prevent the WSUPD chief of police from exercising discretion to initiate an investigation where a student is reported missing but does not reside in campus housing.

B. ANNUAL FIRE SAFETY REPORT

Wayne State University is committed to creating an environment that is safe from the effects of fire for its students, faculty, staff and guests. The purpose of this program is to establish an organizational structure to ensure the effective implementation of a comprehensive fire safety and fire prevention program.

Wayne State complies with the Michigan Fire Prevention Code, Act 207, and the Michigan State Construction Code, Act 230. WSU also complies with all fire safety rules adopted by the State of Michigan Fire Safety Board from the National Fire Protection Association codes and standards, and the Michigan Building Code adopted from the International Construction Code.

The WSU Fire Safety Program sets fire safety standards, procedures and practices to facilitate the university's ability to conduct safe operations and to ensure regulatory compliance. The purpose of the program is to provide minimum standards to safeguard life, health, property and public welfare by controlling and monitoring the design, construction, occupancy, use, quality of materials, and maintenance of all buildings and structures of the campus.

The Office of Enterprise Risk Management and Insurance Programs (ERM) is responsible for the overall fire safety and fire prevention programs at WSU. It is responsible for promoting fire safety regulatory compliance with the State of Michigan Bureau of Fire Services, Michigan Occupational Safety and Health Administration and university insurance companies. The ERM also serves as the custodian of all documents required by the program.

The university fire marshal has the authority to shut down an operation, discontinue events, evacuate buildings, etc., when, in its professional opinion, a severe danger to life or injury may result if action is not taken. Any of these issues — as well as all fire safety violations and certificate of occupancy issues addressed by the State of Michigan Bureau of Fire Services and WSU's ERM that are not corrected — may be forwarded to the vice president for finance and business operations for review and adjudication.



The Annual Fire Safety Report contains:

1) Fire statistics for the last three years — 2021, 2020 and 2019 — for each housing facility on campus

The Campus Fire Safety Right To Know Act defines a fire as, “any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.”

2) A description of each on-campus residence hall and apartment fire safety system

All fire alarms, fire trouble alarms and fire supervisory alarms initiate an audible and visual signal in the WSUPD Dispatch Office when actuated. The WSUPD responds to all fire alarm, trouble and supervisory events. All fire alarm, fire suppression and fire detection systems in WSU-owned facilities shall meet the requirements of the Michigan Fire Prevention Code and those fire safety rules adopted by the State of Michigan's Fire Safety Board, from the National Fire Protection Association codes and standards.

In each instance where there has been a fire alarm run and it is determined to be a false alarm or a “careless cook” disposition (e.g., the burning of food with the resulting smoke setting off individual unit smoke detectors), the building engineers shall take responsibility for resetting the smoke detector and/or fire alarm in the individual unit and/or building.

It is the policy of WSU that no facility fire alarm system be silenced or reset, except by the WSUPD, Facilities Planning and Management's plant operations and maintenance personnel (electricians, building engineers, etc.), or the university fire marshal.

3) The number of fire drills held during the previous calendar year (2021) for each on-campus residence hall and apartment building

The Michigan Fire Prevention Code, Mich. Comp. Laws § 29.19a, requires Wayne State to conduct fire drills in university-owned residence halls. University policy requires each residence hall and apartment building to keep a record of the fire drills performed each year. These drills are conducted for the purpose of preventing fires and related hazards, as well as preparing building occupants to exit such

facilities during an emergency situation.

The Office of Housing and Residential Life (OHRL) is responsible for scheduling and documenting such drills within residence halls and apartments. Emergency evacuation drill notification should be made by OHRL to ERM and the WSUPD. Records of all fire drills should be forwarded to the university fire marshal.

The following evacuation drills were conducted in the residence halls during the 2021 calendar year:

Leon H. Atchison Hall: 1

Chatsworth Suites: 1

Yousif B. Ghafari Hall: 1

Towers Residential Suites: 2

The Thompson: 1

The following evacuation drills were conducted in the apartments during the 2021 calendar year:

Anthony Wayne Drive Apartments: 1

University Tower Apartments: 1

4) The university's rules on portable electrical appliances, smoking and open flames in a student housing facility

Prohibited portable electrical appliances:

The following items are prohibited in Anthony Wayne Drive Apartments, Atchison Hall, Ghafari Hall, The Thompson, Chatsworth Suites and Towers Residential Suites: hot iron/curling iron, stoves, electric skillets/frying pans, woks, electric grills, George Foreman-style grills, griddles, broilers, hot plates, hot pots, toasters, toaster ovens, slow cookers/Crockpots, blenders and refrigerators in excess of five cubic feet.

The following additional portable electrical appliances are prohibited in all university housing buildings: heat lamps, halogen lamps, space heaters, air conditioners, electric blankets and chest/deep-freezers.

Smoking: Smoking anything containing tobacco (cigarettes, clove cigarettes, cigars, pipes, electronic cigarettes, hookahs, etc.) is prohibited in all areas of campus including in university housing. The no-smoking policy is strictly enforced.

Open flames: Incense, oil lamps, torches and other open-flame objects are strictly prohibited in all university housing facilities. Candles are prohibited in Anthony Wayne Drive Apartments, Atchison Hall, Ghafari Hall, The Thompson

and Towers Residential Suites. Candles are also prohibited in Chatsworth Suites and University Tower Apartments unless the candle is in a glass container with sides that are taller than the candle.

These policies can be found in the Community Living Guide available at housing.wayne.edu/pdf/community-living-guide.pdf.

5) Evacuation procedures for student housing, in case of fire

The following fire evacuation procedures apply to all campus residence halls and apartments.

A fire plan is posted on the back of each residence hall and apartment door. Please read this plan and become familiar with your evacuation route. For additional copies of the plan, please contact your community director.

All residents must immediately leave the facility when an alarm sounds. Treat all alarms as real emergencies. Familiarize yourself with the exits, sounds and procedures for evacuating a building. Get to know your exit routes before there is an emergency. If an alarm sounds, please do the following:

- Quickly put on a coat and hard-soled shoes.
- Take a towel with you to prevent smoke inhalation.
- Close windows.
- Check your doorknob and door; if either is hot, do not open your door. If the door and doorknob are cool, exit cautiously and close your unlocked door.
- Take your keys and OneCard with you.
- Walk quickly and leave the building via the nearest available exit in your area.
- Use the stairwells to evacuate (do not use elevators). Once in the stairwell, check to see that the door is closed and proceed down to the first level. Meet at the emergency gathering point 100 feet away from the building.
- DO NOT re-enter the building until a staff member, WSUPD or the fire department tells you it is safe to do so.

Failure to exit in an immediate and orderly fashion may result in disciplinary action and the issuance of citations.



Evacuation and assembly areas

Residents and guests should proceed to their designated evacuation and assembly area. They are located as follows:

Anthony Wayne Drive Apartments:

Between Manoogian Hall and General Lectures

Leon H. Atchison Hall: In front of building retail

Chatsworth Suites: Anthony Wayne Drive, west of Keast Commons

Yousif B. Ghafari Hall: In front of Atchison Hall

The Thompson: Southeast side of Hancock Street

Towers Residential Suites: Gullen Mall, adjacent to the Student Center Building

University Tower Apartments: Cass Avenue, adjacent to the front side of the building

6) Fire evacuation procedure for mobility impaired/disabled persons

In the event of an emergency condition within a university facility, the following procedures with respect to mobility impaired/disabled persons must be followed:

- In case of a real emergency, a staff member, resident advisor or community director will evacuate each mobility impaired/disabled resident from their room/apartment and assist them to the closest stair tower/area of refuge upon alarm notification.
- If it is a nuisance alarm, the resident(s) will be notified of such.

Note: After the drop/add period for each academic semester, the Office of Housing and Residential Life produces a confidential list of all self-identified mobility impaired/disabled persons for each residential building, and provides that list to the appropriate building staff and WSUPD so that in the event of a fire, the building staff and WSUPD are aware of the identity and room location of each mobility impaired/disabled person needing evacuation assistance.

7) Policies regarding fire safety education and training programs provided to students and employees

At the beginning of each school year (August), the ERM conducts hands-on

fire safety training with every community director and resident advisor in each of the university's student housing facilities.

The following policies on safety education and training programs — as set forth in the Community Living Guide for residence halls and apartments and the university's Fire Safety Manual — are provided to the students and employees in campus housing:

- Prohibited items/fire hazards
- Fire evacuation procedure [this is set forth in 5) above and describes the procedures that students and employees should follow in the event of a fire].
- Fire evacuation procedure for mobility impaired/disabled persons.
- Fire prevention.
- Fire safety equipment/smoke detectors/sprinkler systems.
- Student preparedness checklist that instructs each student, "I know more than one way to get out of every building where I have classes. If one exit is blocked, I can get out of the building using a different exit. I am familiar with the fire exits at my residence and in the buildings where I attend classes."
- The section on emergency preparedness provides a variety of resources to assist students/residents in planning for emergencies.

The WSU Fire Safety Manual, available at risk.wayne.edu, contains helpful information on fire safety. It provides that, "all employees, as well as students, must accept the continuous responsibility for safety not only for themselves, but also for coworkers and visitors." The manual also contains the following instructions regarding fire safety policies and procedures:

Building occupant responsibilities

When a fire alarm is sounded at any WSU-owned/leased facility, all occupants must immediately leave the building in an orderly manner by means of the nearest exit. Under no circumstances are any personnel (excluding the WSUPD, Environmental Health and Safety, and Detroit Fire Department) to remain in the building. Evacuation of the building should include:

- Closing the office, classroom and lab door as you leave.
- Leaving the building via the nearest available exit. Always know a secondary means of egress to use in the event your first choice is unattainable.
- Using the stairwells to evacuate (do not use elevators). Once in the stairwell, check to see that the door is closed, and proceed down to the level of exit discharge.
- If the facility is of a high-rise occupancy (75 feet, or seven stories above grade), evacuation procedures will be announced by the fire alarm system as follows: Evacuate fire floor, one floor above, one floor below.
- Do not re-enter any facility until advised by the WSUPD.
- Predetermined facility occupants who are assigned responsibility for evacuation of a particular floor shall assist persons with specific requests into the area of refuge after all persons on that floor have evacuated.
- All persons who requested specific assistance that are above the level of exit discharge shall be placed in an "area of refuge," e.g., a fire-rated construction room or enclosed emergency exit stairwell.
- Unless the department/facility has special evacuation equipment, e.g., emergency evacuation wheelchairs, the responsibility for removal of persons with specific requests rests with the WSUPD or the Detroit Fire Department.
- If you are surrounded by smoke, drop to your hands and knees and crawl toward the nearest exit; stay low to the floor; breathe shallowly through your nose; and use a filter such as a shirt or towel. Close doors behind you as you escape. Always use stairs to escape; never use an elevator.

Additional fire safety tips:

- Learn the location of fire exits and fire alarm pull boxes. Activate the fire alarm if you see smoke or smell a burning odor.
- Have a prepared escape plan and know your escape route. Count the number of doors between your room and the fire exit door so you can find it even in



heavy smoke.

- Remember to remain calm.
- Always use exit stairs; never use the elevator.
- Close doors behind you as you escape. In most cases, this will prevent smoke and fire from entering the room you are exiting.
- Do not re-enter an evacuated building until it has been declared safe by the WSUPD.
- If you become trapped, seal off cracks around doors and vents with clothes or rugs. Soak them in water if possible.
- Turn off fans and air conditioners.
- Signal for help from a window. Call the WSUPD at **313-577-2222**.
- Never tamper with or disable any smoke detectors in any residence hall, apartment or office area anywhere on campus. Do not allow others to do the same. If you see anyone tampering with a smoke detector, call the WSUPD.

8) A list of the titles of each person or organization to which students and employees should report that a fire occurred

In the event of a fire, call WSUPD at **313-577-2222**. Let them know the name of the building and room number of your location. **DO NOT CALL 911**. The WSUPD will call the Detroit Fire Department. In all instances where a fire has been reported, the WSUPD will automatically follow up with notifications to ERM and to the Office of Environmental Health and Safety (for hazardous materials or clean-up needs).

9) Plans for future improvements in fire safety

Wayne State is continually striving to be proactive in its fire emergency planning and preparedness. Its Crisis Management Team is continually striving for improvement, and the university will update fire safety and other emergency practices and procedures as needed.

10) Fire log

Pursuant to the requirements of the Higher Education Opportunity Act, the WSUPD maintains a written, easily understood fire log for each campus housing facility.

This fire log records any fire that occurred in a campus student housing facility, by the date that the fire was reported. This log also includes the nature, date, time and general location of each fire.

It is the policy of the university to have the WSUPD make an entry or an addition to an entry to the fire log within two business days of the receipt of the information.

For the most recent 60-day period, the university, through the WSUPD, will make the fire log open for public inspection during normal business hours. The university will also, through the WSUPD, make any portion of the fire log older than 60 days available within two business days of a request for public inspection.

UNIVERSITY POLICIES

The statistics for the past three years are reflected in the following charts:

| 2021 FIRE STATISTICS | | | | | |
|--|-----------------------|------------------|----------------------------|--------------------------|--|
| Residential Facility | Total Number of Fires | Nature/Cause | Number of Related Injuries | Number of Related Deaths | Value of Property Damage (in U.S. Dollars) |
| Anthony Wayne Drive Apartments 5235 Anthony Wayne Dr. | 0 | N/A | N/A | N/A | N/A |
| Leon H. Atchison Hall 5110 Anthony Wayne Dr. | 0 | N/A | N/A | N/A | N/A |
| Chatsworth Suites 630 Merrick St. | 0 | N/A | N/A | N/A | N/A |
| Yousif B. Ghafari Hall 695 Merrick St. | 0 | N/A | N/A | N/A | N/A |
| The Thompson 4756 Cass Ave. | 0 | N/A | N/A | N/A | N/A |
| Towers Residential Suites 655 W. Kirby | 1 | Electrical* | 0 | 0 | \$10,000-\$24,999 |
| University Tower Apartments 4500 Cass Ave. | 3 | Cooking* | 0 | 0 | \$0-\$99 |
| | | Other* | 0 | 0 | \$250,000-499,999 |
| | | Intentional fire | 0 | 0 | \$1,000-\$9,999 |

*Unintentional Fire

| 2020 FIRE STATISTICS | | | | | |
|--|-----------------------|--------------|----------------------------|--------------------------|--|
| Residential Facility | Total Number of Fires | Nature/Cause | Number of Related Injuries | Number of Related Deaths | Value of Property Damage (in U.S. Dollars) |
| Anthony Wayne Drive Apartments 5235 Anthony Wayne Dr. | 0 | N/A | N/A | N/A | N/A |
| Leon H. Atchison Hall 5110 Anthony Wayne Dr. | 0 | N/A | N/A | N/A | N/A |
| Chatsworth Suites 630 Merrick St. | 0 | N/A | N/A | N/A | N/A |
| DeRoy Apartments 5200 Anthony Wayne Dr. | 0 | N/A | N/A | N/A | N/A |
| Yousif B. Ghafari Hall 695 Merrick St. | 0 | N/A | N/A | N/A | N/A |
| The Thompson 4756 Cass Ave. | 0 | N/A | N/A | N/A | N/A |
| Towers Residential Suites 655 W. Kirby | 0 | N/A | N/A | N/A | N/A |
| University Tower Apartments 4500 Cass Ave. | 1 | Trash room* | 0 | 0 | \$0-\$99 |

*Unintentional Fire



| 2019 FIRE STATISTICS | | | | | |
|--|-----------------------|---------------------------|----------------------------|--------------------------|--|
| Residential Facility | Total Number of Fires | Nature/Cause | Number of Related Injuries | Number of Related Deaths | Value of Property Damage (in U.S. Dollars) |
| Anthony Wayne Drive Apartments 5235 Anthony Wayne Dr. | 0 | N/A | N/A | N/A | N/A |
| Leon H. Atchison Hall 5110 Anthony Wayne Dr. | 0 | N/A | N/A | N/A | N/A |
| Chatsworth Suites 630 Merrick St. | 1 | Other* | 0 | 0 | \$1,000-\$9,999 |
| DeRoy Apartments 5200 Anthony Wayne Dr. | 1 | Other* | 0 | 0 | \$0-\$99 |
| Yousif B. Ghafari Hall 695 Merrick St. | 0 | N/A | N/A | N/A | N/A |
| The Thompson 4756 Cass Ave. | 1 | Industrial/ machinery* | 0 | 0 | \$0-\$99 |
| Towers Residential Suites 655 W. Kirby | 0 | N/A | N/A | N/A | N/A |
| University Tower Apartments 4500 Cass Ave. | 1 | Cooking* | 0 | 0 | \$0-\$99 |

*Unintentional Fire



FIRE SAFETY INFORMATION AND SYSTEMS FOR ON-CAMPUS STUDENT HOUSING FACILITIES

| Residential Facility | Fire Safety Systems Description |
|--|---|
| Anthony Wayne Drive Apartments 5235 Anthony Wayne Dr. | <ul style="list-style-type: none"> • Central fire alarm monitoring by WSUPD • Full automatic sprinkler coverage (individual rooms and common areas) • Supported by a fire pump • Fire department hose connections within stairwell landings • Voice communication fire alarm system • Smoke detection within all residential rooms and corridors • Area of rescue call station in elevator lobby |
| Leon H. Atchison Hall 5110 Anthony Wayne Dr. | <ul style="list-style-type: none"> • Central fire alarm monitoring by WSUPD • Full automatic sprinkler coverage (individual rooms and common areas) • Supported by a fire pump • Fire department hose connections within stairwell landings • Voice communication fire alarm system • Smoke detection within all residential rooms and corridors |
| Chatsworth Suites 630 Merrick St. | <ul style="list-style-type: none"> • Central fire alarm monitoring by WSUPD • Full automatic sprinkler coverage (individual rooms and common areas) • Supported by a fire pump • Fire department hose connections within stairwell landings • Voice communication fire alarm system • Smoke detection within all residential rooms and corridors • Area of rescue call station in elevator lobby |
| Yousif B. Ghafari Hall 695 Merrick St. | <ul style="list-style-type: none"> • Central fire alarm monitoring by WSUPD • Full automatic sprinkler coverage (individual rooms and common areas) • Supported by a fire pump • Fire department hose connections within stairwell landings • Voice communication fire alarm system • Smoke detection within all residential rooms and corridors |
| The Thompson 4756 Cass Ave. | <ul style="list-style-type: none"> • Central fire alarm monitoring by WSUPD • Full automatic sprinkler coverage (individual rooms and common areas) • Fire department hose connections within stairwell landings • Voice communication fire alarm system • Smoke detection within all residential rooms |
| Towers Residential Suites 655 W. Kirby | <ul style="list-style-type: none"> • Central fire alarm monitoring by WSUPD • Full automatic sprinkler coverage (individual rooms and common areas) • Supported by a fire pump • Fire department hose connections within stairwell landings • Voice communication fire alarm system • Smoke detection within all residential rooms and corridors |
| University Tower Apartments 4500 Cass Ave. | <ul style="list-style-type: none"> • Central fire alarm monitoring by WSUPD • Full automatic sprinkler coverage (individual rooms and common areas) • Supported by a fire pump • Fire department hose connections within stairwell landings • Voice communication fire alarm system • Smoke detection within all residential rooms and corridors |

Wayne State University Board of Governors
 Mark Gaffney, *chair*; Shirley Stancato, *vice chair*; Bryan C. Barnhill II
 Michael Busuito, Marilyn Kelly, Anil Kumar, Terri Lynn Land,
 Dana Thompson, M. Roy Wilson, *ex officio*

FEDERAL TRAFFICKING PENALTIES

| DRUG/SCHEDULE | QUANTITY | PENALTIES | QUANTITY | PENALTIES |
|--|---|---|--|---|
| Cocaine (Schedule II) | 500–4999 grams mixture | First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. | 5 kgs or more mixture | First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. |
| Cocaine Base (Schedule II) | 28–279 grams mixture | | 280 grams or more mixture | |
| Fentanyl (Schedule II) | 40–399 grams mixture | | 400 grams or more mixture | |
| Fentanyl Analogue (Schedule I) | 10–99 grams mixture | | 100 grams or more mixture | |
| Heroin (Schedule I) | 100–999 grams mixture | | 1 kg or more mixture | |
| LSD (Schedule I) | 1–9 grams mixture | Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual. | 10 grams or more mixture | Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. |
| Methamphetamine (Schedule II) | 5–49 grams pure or 50–499 grams mixture | | 50 grams or more pure or 500 grams or more mixture | |
| PCP (Schedule II) | 10–99 grams pure or 100–999 grams mixture | | 100 gm or more pure or 1 kg or more mixture | |
| 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. | | | | |
| PENALTIES | | | | |
| Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid) | Any amount | First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual. | | |
| Flunitrazepam (Schedule IV) | 1 gram | | | |
| Other Schedule III drugs | Any amount | First Offense: Not more than 10 years. If death or serious injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual. | | |
| All other Schedule IV drugs | Any amount | | | |
| Flunitrazepam (Schedule IV) | Other than 1 gram or more | First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual. | | |
| All Schedule V drugs | Any amount | | | |
| | | First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual. | | |

FEDERAL TRAFFICKING PENALTIES—MARIJUANA

| DRUG | QUANTITY | 1st OFFENSE | 2nd OFFENSE * |
|--------------------------|---|---|--|
| Marijuana (Schedule I) | 1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants | Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual. | Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual. |
| Marijuana (Schedule I) | 100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants | Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual. | Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75million if other than an individual. |
| Marijuana (Schedule I) | More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants | Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual. | Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual. |
| Marijuana (Schedule I) | Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants; | Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual. | Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual. |
| Hashish (Schedule I) | 10 kg or less | | |
| Hashish Oil (Schedule I) | 1 kg or less | | |

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.