

CLERY ACT COMPLIANCE POLICY

I. Policy Section

14.0 Risk Management

II. Policy Subsection

14.20 Clery Act Compliance Policy

III. Policy Statement

Grand Rapids Community College (GRCC), comprised of its Main/Devos, Leslie E. Tassell M-TEC, GRCC Lakeshore Campuses, and other sites contemplated by this policy, (collectively, GRCC or the College) is committed to creating and maintaining a safe campus community that is free from violence. It is the policy of the College to comply with the Jeanne Clery Campus Safety Act, 20 U.S.C. § 1092(f), and the Act's implementing regulations, 34 C.F.R. 668.46 (the Clery Regulations).

IV. Reason for Policy

The Clery Act is a federal law that requires Title IV federally subsidized institutions of higher education to disclose certain crime and safety information in publicly available documents. In accordance with the Clery Act and Clery Regulations, the College strives to provide students, faculty, and staff with access to accurate and timely information about Clery crimes that occur within the College's Clery geography; access to college-wide safety and security policies and procedures; and a process for victims and witnesses that maintains confidentiality to the extent college policy and applicable federal, state, and local laws allow. The College is committed to protecting the privacy of individuals involved in the reporting, investigation, and resolution of incidents of crime.

V. Entities Affected by this Policy

All employees

Board of Trustees

Independent Contractors

Applicants

Students

Vendors

College guests

Community and constituencies accessing services

Volunteers

VI. Who Should Read this Policy

All employees
Board of Trustees
Independent Contractors
Applicants
Students
Vendors
College guests
Community and constituencies accessing services
Volunteers

VII. Related Documents

A. College Documents:

1. Emergency Communication Policy & Guiding Document
2. Title IX, Non-Discrimination and Antiharassment Policy
3. Drug and Alcohol Policy
4. GRCC Annual Security Report
5. Rights, Options, and Resources

B. Other Documents:

1. Jeanne Clery Campus Safety Act 20 U.S.C. § 1092(f), as amended
2. Clery Act Regulations, 34 C.F.R. 668.46
3. Clery Act Appendix for Federal Student Aid handbook

VIII. Contacts

Policy Owner: Clery Compliance Specialist
GRCC Chief of Police
General Counsel
Director of Equal Opportunity Compliance
Director of Student Life & Leadership

IX. Definitions

- A. Annual Security Report (ASR): A report published annually by the College that includes Clery Act crime statistics for the previous three (3) calendar years and outlines campus safety information and policies concerning the College's Clery geography.
- B. Campus Community: Trustees, students, employees, and visitors on college-owned or controlled property.
- C. Campus Security Authority (CSA): GRCC Police Department (GRCC PD) personnel, including police officers who respond to GRCC's Clery geography; other individuals who have responsibility for campus security, but who do not work for GRCC PD (including contracted security providers); or officials who have significant responsibility for student and campus activities outside of the classroom. A listing of personnel identified as CSAs is maintained by the GRCC

PD Clery Compliance Specialist

- D. **Controlled By:** Property that GRCC (or an institution-associated entity) directly or indirectly rents, leases, or has some other type of written agreement for the use of a building or property, or a portion of a building or property (this may include regional sites and/or premises where GRCC engages in instruction).
- E. **Written Agreement:** Any formal or informal writing, including an email, letter or receipt.
- F. **Reasonably Contiguous:** A building or property GRCC owns or controls that is in a location that the College and students consider to be, and treat as, part of the GRCC campus.
- G. **Organized Program of Study:** A course in an educational program leading to a degree, certificate, or other recognized credential.
- H. **Clery Geography:** Generally, the College's campuses, certain off-campus buildings, and properties owned or controlled by the College; public property within or immediately adjacent to and accessible from each campus. A listing of properties included in the College's Clery geography is maintained by the GRCC PD Clery Compliance Specialist in coordination with College Departments responsible for reporting property ownership, control or use. More specifically, Clery geography includes the following:
 - 1. **On-Campus:** Any building or property owned or controlled by GRCC within the same reasonable contiguous geographic area and used by GRCC in direct support of, or in a manner related to, GRCC's educational purposes; any building or property that is within or reasonably contiguous to the identified area of the definition that is owned by GRCC but controlled by another person, is frequently used by students, and supports institutional purposes.
 - 2. **Non-Campus:** Any building or property owned or controlled by a student organization that is officially recognized by GRCC; any building or property owned or controlled by GRCC; any building or property used in support of, or in relation to, GRCC's educational purposes, is frequently used by students, and is not in the same reasonably contiguous geographic area of GRCC.
 - 3. **Separate Campus:** Any building or property owned or controlled by GRCC that is not reasonably geographically contiguous with the main campus, has an organized program of study, and has at least one person on site acting in an administrative capacity.
 - 4. **Public Property:** All public or property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to and accessible from the campus. Public property refers to property owned by a government entity such as a city or state government;

therefore, private homes are not included, but parking structures are.

- I. Clery Crimes: For purposes of Clery Act reporting, crime definitions are those set forth in the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program and Appendix A to 34 CFR § 668.46. Where differences exist between the FBI UCR definitions and Appendix A, the definitions in Appendix A to 34 CFR § 668.46 will be used. These include the following alleged, attempted, or completed reported crimes:
 1. Criminal Offenses
 - a. Murder/Non-Negligent Manslaughter
 - b. Manslaughter by Negligence
 - c. Sexual Assault, including Rape, Fondling, Statutory Rape, and incest (Note: Sexual Assault is also a VAWA (Violence Against Women Act) offense but is included in the criminal offense category for purposes of Clery Act compliance).
 - d. Robbery
 - e. Aggravated Assault
 - f. Burglary
 - g. Motor Vehicle Theft
 - h. Arson
 2. Hate Crimes: Include the following crimes motivated by race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability bias:
 - a. Any of the above-listed criminal offenses (a-h)
 - b. Larceny-Theft
 - c. Simple Assault
 - d. Intimidation
 - e. Destruction/Damage/Vandalism of Property
 3. VAWA Offenses: Include the following:
 - a. Domestic Violence
 - b. Dating Violence
 - c. Stalking
 4. Law Violations and referrals for disciplinary action, including violations of state and local ordinances, related to:
 - a. Liquor law violations,
 - b. Drug abuse violations, and
 - c. Illegal weapons possession, carrying, etc.
 5. Hazing: Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or

persons to participate, that—

- a. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- b. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or organization (such as physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
 - i. whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
 - ii. causing, coercing or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or similar activity;
 - iii. causing coercing, or otherwise inducing another person to perform sexual acts;
 - iv. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substances;
 - v. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - vi. any activity against another person that includes a criminal violation of local, state, tribal or federal law; and
 - vii. any activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing in violation of local, state, tribal or federal law.

Hazing also involves any other activity not addressed by this definition, that is expected of someone joining or participating in a student organization that humiliates, degrades, abuses or endangers them, regardless of a person's willingness to participate.

For purposes of this policy, the phrase "Student Organization" means an organization, such as a club, society, association, varsity or junior athletic team, club sports team, fraternity, sorority, band, student government, of two or more enrolled students, recognized or not, at GRCC.).

X. Procedures

- A. This policy requires the College, by and through GRCC PD, to perform the following on an annual basis:
 1. Identify, notify, and provide mandatory training to CSAs concerning their crime reporting obligations. All schools, divisions, departments, and other

units will cooperate in college efforts to identify CSAs.

2. Request and collect reports of crimes made to CSAs and other municipal, county, and state law enforcement agencies.
3. Publish, maintain and provide access to the daily crime log. The log details all criminal incidents reported to GRCC PD that occur within the College's patrol and response jurisdiction. The daily crime log must be updated within two (2) business days of a crime being reported.
4. Compile statistics of reported Clery Act crimes alleged to have occurred on or in the College's Clery geography as reported to CSAs and other law enforcement. All departments, schools and other units will cooperate in the College's efforts to identify Clery geography.
5. Report Clery crime statistics to the United States Department of Education.
6. By October 1st of each year, or as otherwise required by law, publish the College's ASR pursuant to the requirements of the Clery Act. The ASR will be made available on the College's website and electronically provided to all students and employees. A hard copy of the ASR may be obtained by contacting GRCC PD.
7. By October 1st of each year, or as otherwise required by law, distribute notice of availability of the College's ASR to all current and prospective students and employees.
8. Publish and test emergency notification and evacuation procedures.
9. Initiate and confirm distribution of emergency communications (Timely Warnings or Emergency Notifications) to the campus community in accordance with the GRCC Emergency Communication Policy 14.7.
10. Provide (where necessary, in conjunction with other appropriate College personnel) and track ongoing and prevention education programs to the campus community.

Topics may include, but are not limited to crime prevention and security awareness, sexual assault, domestic and dating violence, stalking awareness, bystander intervention, drug and alcohol abuse, hazing and active shooter training.

11. Retain all records related to compliance with the above-stated requirements for a minimum of seven (7) years for Clery Act compliance purposes.
12. Mandated GRCC employees, including GRCC Police Officers and Title IX Team members will provide the *Rights, Options, and Resources* (ROR) brochure to any victim of sexual assault, domestic violence, dating violence or stalking. The ROR brochure is also available to anyone upon request and is publicly accessible on GRCC's Title IX and Police Department

webpages.

B. This Policy requires any individual identified and notified as a CSA by GRCC PD or Human Resources to perform the following on an annual basis:

1. Training: Access and complete mandatory training to CSAs concerning their crime reporting obligations (non-compliance with training will be reported to the employee's supervisor for resolution; continued non-compliance may result in corrective action).
2. Reporting: For CSA reports, immediately and no later than two (2) business days of receiving the information, report all crimes (including alleged, suspected, or attempted crimes) to GRCC PD. This information should be reported by completing and submitting an electronic report form or by contacting GRCC PD at (616) 234-4910. Anyone aware of an in-progress crime or emergency should immediately call 911 or contact GRCC PD at 616-234-4911.

Timeliness of CSA reporting is critically important to the College's ability to make appropriate decisions regarding the issuance of timely warnings or emergency notifications concerning incidents that indicate potential ongoing danger to the campus community. Timeliness of CSA reporting is also critically important to the College's ability to comply with disclosure requirements. Failure by a CSA to promptly report to GRCC PD all details they receive about a Clery crime will be reviewed by GRCC PD and other offices as appropriate, and may result in disciplinary action.

3. When reporting a Clery crime, provide GRCC PD with as much disclosed information as possible. CSAs do not investigate allegations of crime or gather incident information beyond what was shared. Important information to report includes:
 - a. A description of the incident reported;
 - b. The location of the incident;
 - c. Date and time the report was made and when the incident was reportedly occurred;
 - d. The name and contact information of the reporting party/victim (if they wish to be identified);
 - e. The name of any suspects or witnesses;
 - f. The name and contact information of the CSA; and
 - g. Any information regarding an immediate threat to the campus community or any campus community member.
4. Any person with questions regarding campus security authority obligations should contact the Clery Compliance Specialist via email at Clery@grcc.edu or via telephone at (616)234-4013.

C. Hazing

1. All students, faculty and staff must report hazing incidents involving a GRCC student to a Conduct Administrator in the Center for Student Life and Leadership. All other hazing incidents must be reported to GRCC's Director of Equal Opportunity Compliance and Title IX Coordinator. Reports may also be made to the GRCC Police Department. Reports may be submitted as follows:
 - a. Center for Student Life and Leadership: Utilizing the forms available on the Center's webpage.
 - b. Director of Equal Opportunity Compliance and Title IX Coordinator: (616) 234-2353 or institutionalequity@grcc.edu.
 - c. GRCC Police Department: (616) 234-4010 or police@grcc.edu.
2. GRCC will promptly investigate all reported allegations of hazing through the applicable College process. The process utilized to investigate alleged hazing incidents will be determined based upon the nature of the allegations and the individuals allegedly involved (e.g., Student Conduct, Human Resources, etc.). As applicable, investigations will be conducted in cooperation with law enforcement.
3. Individuals or organizations found responsible for hazing will be subject to disciplinary actions (examples of disciplinary action include suspension, expulsion, revocation of organizations, termination of employment, revocation of campus privileges and/or possible legal action in accordance with Michigan law).
4. Michigan law
 - a. Also known as Garret's Law (MCL 750.411t), hazing which results in serious injury or death may be prosecuted as a felony offense. Lesser offenses may be classified as misdemeanors, carrying potential fines and imprisonment.
 - b. Does not apply to an activity that is normal and customary in an athletic, physical education, military training, or similar program sanctioned by GRCC.
 - c. Whether the individual against whom the hazing was directed consented or acquiescent in the hazing is not a defense to a crime under Michigan Law.
5. GRCC will provide research-informed prevention and awareness programs related to hazing to students, staff, and faculty. The programming will include:
 - a. GRCC's definition of Hazing, including a clear statement that GRCC prohibits hazing,

- b. The definition of “Student Organization”, as it applies to this policy,
 - c. How to report, process for investigation, and jurisdictional laws.
 - d. Information on applicable local, state, federal and tribal laws regarding hazing, and
 - e. Primary prevention strategies on how to stop hazing before it occurs, skill building for bystander intervention, information about ethical leadership, and building group cohesion without hazing.
6. GRCC will publish an annual Campus Hazing Transparency Report (CHTR), which only applies to recognized or established GRCC organizations, in a prominent location on its website. The report will consist of the following:
- a. Name of the student organization;
 - b. General description of the violation that resulted in a finding of responsibility;
 - c. Whether the violation involved the abuse or use of illegal drugs and alcohol;
 - d. Findings (rationale) for the determination of responsibility
 - e. Any sanctions imposed on the student organization, and
 - f. The dates on which;
 - i. The incident was alleged to have occurred,
 - ii. The investigation into the incident was initiated,
 - iii. The investigation ended with a finding that a hazing violation occurred, and
 - iv. The student organization was provided notice that the incident resulted in a hazing
 - g. Do not include personally identifiable information.
 - h. CHTR must be updated biannually by a Conduct Administrator in the Center for Student Life and Leadership
 - i. Entries concerning findings made to the CHTR must stay in the report for five (5) years. However, once removed the information will be retained for seven (7) years for Clery purposes.
7. GRCC will have a designated public website to include the CHTR. The website should include the following:

- a. A statement notifying the public of the availability of hazing statistics that are published in the Annual Security Report (ASR); include a link to the ASR. .
 - b. Information related to GRCC policies related to hazing.
 - c. Information on applicable local, state, and tribal laws regarding hazing.
 - d. Information required for the CHTR.
8. Hazing statistics must be requested from local law enforcement and included in the ASR.
- a. The ASR will include hazing incidents reported to a CSA and meet the federal Hazing definition.
 - b. Unlike the CHTR, hazing statistical disclosures in the ASR are applicable to registered, recognized, established or unrecognized student organizations.

XI. Forms

Clery Crime Report Form
Clery Sexual Assault Report Form

XII. Effective Date

April 2023

XIII. Policy History

April 2023: Policy Implemented
April 2024: Revised
May 2025: Revised
May 2026: Revised

XIV. Next Revision/Revision Date

May 2027