

**Specs Howard School  
of Media Arts**

**2019-2020**

**Annual Security Report  
Title IX Policy & Procedures  
Emergency Policies & Procedures**

**Student Edition**

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## **INTRODUCTION**

This document contains policies and procedures related to Title IX and emergency situations, as well as Annual Crime Statistics for the Specs Howard School of Media Arts (“SHS”, “the School”). Please familiarize yourself with the contents of this document, and feel free to contact us if you have any questions or concerns.

## **INCIDENT REPORTING PROCEDURES**

All emergency situations, criminal activity and suspicious activity that may require police and/or emergency personnel intervention should be reported immediately to the Southfield police department by calling 911. A victim always has a right to decline to notify law enforcement, although the school strongly encourages anyone who believes they have experienced a sexual assault or any other crime to make a report to the local police\*. The individual who makes that call should then notify the Student Success Department and/or the front desk receptionist. That individual will then be asked to complete an SHS Incident Report Form. Since the Specs Howard School does not employ any security personnel, nor do any employees of the school have the authority to arrest individuals, those reports should be completed as promptly and accurately as possible.

If any action of an unlawful nature occurs that does not require immediate police/emergency personnel intervention, students and staff are instructed to report such incidents to the Student Success Department. An SHS Incident Report Form is then to be completed by the individual who made the report. If a Student Success Coach is unavailable, the individual may obtain a form from the front desk receptionist. Crimes should be reported to the local police agency to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community when appropriate.

Upon receipt of the completed SHS Incident Report Form, the Student Success Department will communicate with, and/or forward copies of the form to, the President, COO, Director of Education, LRS & Online Learning Supervisor, Director of Human Resources and/or building manager for review. All incident reports are reviewed to determine what, if any, additional action may be required. Police authorities will be asked to investigate a report when it is deemed appropriate.

The Specs Howard School of Media Arts does not own or control any non-campus buildings or properties, does not offer student housing, nor does the school employ any pastoral or professional counselors, as defined in the CFR 668.46\*, and, therefore, the school’s official reports will not include these references.

\* Code of Federal Regulations of the U.S. Department of Education, Title 34, Part 668, Section 668.46.

\* Southfield Police Department  
26000 Evergreen Rd.  
Southfield MI 48076  
(248) 796-5500  
Emergency: 911

## **TIMELY WARNING / CRIME ALERT**

If a situation arises, either on or off campus, that, in the judgment of the President, COO, Director of Education, LRS & Online Learning Supervisor, Director of Human Resources, and/or Southfield Police, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. These warnings/alerts will be issued in a manner that is timely and that will aid in the prevention of similar occurrences. Warnings/alerts will generally be distributed through the School’s email system, text messaging, voice phone messaging and verbal communications. Warnings/alerts will go out to students, faculty and staff.

Anyone with information requiring a timely response should notify the Student Success Department by phone or in person.

### **ACCESS AND CAMPUS SECURITY**

All SHS staff and students are issued an SHS Photo ID to aid in maintaining security and controlling access to campus facilities. The ID must be displayed whenever the staff member or student is on campus.

### **CAMPUS SECURITY AWARENESS**

The School provides primary and ongoing prevention and awareness programs for students and employees in order to promote campus security, crime prevention and awareness, and emergency procedures. Below are the prevention and awareness campaigns for both students and employees:

- Primary Crime/Title IX prevention and awareness, and emergency procedures training for first-day students and during new hire orientations
- Ongoing Crime/Title IX awareness posters posted throughout the school
- Updated Annual Security Report, Title IX Policy, and Emergency Procedures are distributed to staff and students every October, at which time training takes place
- Ongoing individual training for staff and students, as needed
- Ongoing staff training from outside contractors on different aspects of Title IX and campus security
- Emergency and security procedures are discussed and updated at staff meetings

### **SECURITY – CRIME PREVENTION**

SHS encourages all students and staff to take advantage of community anti-crime programs. Numerous crime-awareness/prevention publications and information are available at no charge from the Southfield Crime Prevention Bureau (248-796-5400).

As a school, we must all work together to prevent crime. SHS urges you to incorporate some of the following safety precautions into your daily behavior:

#### **Anti-theft Tips**

- Lock your office when it's unoccupied
- Keep an accurate inventory of items
- Copy all of your important papers and files
- Do not leave your personal items unattended
- Carry only small amounts of cash

#### **Personal Safety in Your Car**

- Keep your doors locked at all times
- Never give strangers a ride
- Check the back seat before entering your car
- Put your valuables in the trunk
- If you feel you are being followed, drive toward a well-lit public area – preferably a police station

#### **Personal Safety at Home**

- Always lock your doors and windows
- Keep your purse, wallet, cash and other valuables in a locked drawer
- Do not open your door unless you are certain of the identity of the person who is knocking

## Personal Safety away from Home

- Walk, exercise and park in well-lit areas
- Travel in numbers
- Avoid working or studying alone after hours
- Be aware of suspicious occurrences and behaviors around you
- Report anyone who behaves suspiciously

## **ALCOHOL POLICY**

The use of alcoholic beverages is prohibited at the Specs Howard School of Media Arts. Any student found to be in the possession of, or suspected to be under the influence of, alcohol while on school property or adjacent parking facilities may be subject to disciplinary action, up to and including suspension or immediate administrative withdrawal. Specifically, it is illegal for any person under the age of 21 to possess alcoholic beverages; to give, serve, or permit alcoholic beverages to be served to any person under 21; or to misrepresent or misstate his or her age or the age of another person for the purpose of inducing any licensee or his agent or his employees to sell, give, serve, or deliver any alcoholic beverage to a person under 21. Any violation of this policy may be cause for disciplinary action and/or prosecution.

## **DRUG POLICY**

The possession, use, sale or distribution of narcotics or any controlled substance and/ or drug paraphernalia is illegal under both federal and state laws and prohibited at the Specs Howard School of Media Arts. Any student found to be in possession of, or suspected to be under the influence of, marijuana or illegal drugs while on school property or adjacent parking facilities may be subject to disciplinary action, up to and including suspension or immediate administrative withdrawal, and/or criminal prosecution.

A conviction of any offense involving the possession or sale of illegal drugs during the period of enrollment for which a student is receiving Title IV, HEA program funds, under federal or state law, will result in the loss of eligibility for any Title IV, HEA grant, loan, or work-study assistance. The Specs Howard School will provide notice in a timely manner to each student who has lost eligibility for that assistance as a result of penalties under HEA Sec. 484 (r)(1). This will be a written notice and will advise the student of the ways in which a student may regain eligibility.

## **DRUG AND ALCOHOL COUNSELING**

Programs are available to help students and staff who may be in need of counseling, treatment, or rehabilitation. The Student Success Department will provide a Student Success Emergency Help Resource List that contains names, addresses and telephone numbers of organizations that can provide assistance to a person in need. Resources can also be found on the Student Success page within the online learning management system.

### **DrugAbuse.com**

[DrugAbuse.com](http://DrugAbuse.com) provides trusted resources for substance abuse and addiction treatment where you can learn about the symptoms and signs of drug abuse, as well as the repercussions of abuse. Call (888) 744-0069 for help regarding drug abuse.

### **Michigan Mental Health Networker (The Networker)**

The Networker has been in operation since 1993 to provide up-to-date information on mental health and substance abuse agencies throughout Michigan. The Networker currently lists over 400 agencies that aim to help those struggling with mental health and substance abuse issues. Go to [mhweb.org](http://mhweb.org) to get a list of organizations that provide help.

Drugs and alcohol are often glamorized in today’s media. Becoming addicted to drugs and alcohol has negative effects on one’s body, mind and lifestyle. The following resources are available for anyone who has fallen victim to drug abuse and is looking for help. It’s never too late to reach out for help. Knowledge is the best defense in knowing the dangers of drugs. The Drug Enforcement Administration (DEA) offers an excellent resource for drug fact sheets providing origins, street names, abuses and health risks. Go to [Drug Facts Sheets](#) for more information.

The DEA is a government agency that specializes in enforcing the controlled substance laws and regulations of the United States. On the DEA website you can find information on specific drugs, drug laws and prevention. Visit [DEA.gov](#) to learn more about the Drug Enforcement Administration and [Drugs of Abuse: A DEA Resource Guide](#) for information on drugs of abuse.

### **SEX OFFENDER REGISTRY**

Incarceration may remove a sex offender from the streets, but it does nothing to prevent the offender from committing another crime when released. The federal Campus Sex Crimes Prevention Act (CSCPA), enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where they may obtain state information provided by law enforcement concerning registered sex offenders. It also requires sex offenders that are already required to register in a state, to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services, or is a student. In the state of Michigan, convicted sex offenders must register with Michigan State Police. You can obtain information by visiting the Michigan Public Sex Offender Registry (PSOR) at [michigan.gov/msp/0,4643,7-123-1878\\_24961---.00.html](#).

## **Title IX Non-Discrimination & Grievance Process Policy**

### **I. Introduction**

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in any education program or activity operated by a recipient that receives federal financial assistance. As an educational institution subject to Title IX, Specs Howard School of Media Arts<sup>1</sup> has adopted this Title IX Non-Discrimination & Grievance Process Policy (the “Policy”).<sup>2</sup> As set forth in detail herein, Specs Howard School of Media Arts:

- Does not discriminate on the basis of sex, including in admissions and employment, and is committed to providing an educational and workplace environment that is free from sex-based discrimination, harassment, and retaliation;
- Prohibits discrimination on the basis of sex in its educational programs and activities, as required by law;
- Is committed to promoting fairness and equity in all aspects its operations; and
- Values and promotes the equal dignity of all community members and is committed to the pursuit of just resolutions with respect the rights of all parties involved.

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<sup>1</sup> Specs Howard School of Media Arts may be referred to interchangeably as the “School” throughout this Policy.

<sup>2</sup> All capitalized terms not defined within this Policy are defined in Appendix A.

This Policy is adopted to prevent discrimination prohibited under Title IX and provide a prompt, fair, and impartial process to address complaints of alleged discrimination based on sex.

Inquiries about this Policy or the application of Title IX may be referred to Specs Howard School of Media Arts' Title IX or Deputy Title IX Coordinator, the Assistant Secretary of the Department of Education's Office for Civil Rights, or both.

## II. Overview of Title IX Policy and Grievance Process: General Provisions

### **Responsibilities of the Title IX Coordinator**

The Title IX Coordinator and the Deputy Title IX Coordinator oversee implementation and enforcement of this Policy, which includes primary responsibility for coordinating the School's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

The School's Title IX Coordinators are identified below and may be contacted with questions about this Policy, to file a report or formal complaint, or to otherwise assist individuals in ensuring equal Specs Howard School of Media Arts access to the School's educational programs or activities in compliance with Title IX.

Mary Harms  
Title IX Coordinator  
26700 Lahser Rd, Ste 100, Southfield, MI 48033  
(248)358-9000  
mharms@specshoward.edu  
<https://www.specshoward.edu>

Avery Thomas  
Deputy Title IX Coordinator  
26700 Lahser Rd, Ste 100, Southfield, MI 48033  
(248)358-9000  
athomas@specshoward.edu  
<https://www.specshoward.edu>

Individuals may also contact the U.S. Department of Education's Office for Civil Rights with Title IX questions. *(Please note that inquiries to OCR alone are not sufficient to allow appropriate responsive action by the School. To ensure your concern is appropriately addressed under this Policy, please file a report with the School's Title IX Coordinator).*

Office for Civil Rights (OCR)  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

## **How to Make a Report or Formal Complaint of an Alleged Title IX Violation**

Any person may report alleged sex discrimination, sexual harassment, or retaliation to the Title IX Coordinator, irrespective of whether the reporting person is the alleged victim of such conduct. A report is differentiated from a Formal Complaint (“Complaint”), which is a document filed/signed by the Complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the School investigate the allegation(s) and implement the School’s Grievance Process. A report or complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail at any time (including during non-business hours), using the contact information in the section immediately above or as described below:

1) To the Title IX Coordinator or the Deputy Title IX Coordinator

Mary Harms  
Title IX Coordinator  
26700 Lahser Rd, Ste 100, Southfield, MI 48033  
(248)358-9000  
mharms@specshoward.edu  
<https://www.specshoward.edu>

Avery Thomas  
Deputy Title IX Coordinator  
26700 Lahser Rd, Ste 100, Southfield, MI 48033  
(248)358-9000  
athomas@specshoward.edu  
<https://www.specshoward.edu>

2) Online via the reporting form posted at <https://specshoward.edu/incidentreport>

3) Via telephone (248)358-9000.

## **After Making a Report or Formal Complaint**

Upon receipt of a report or Complaint, the Title IX Coordinator shall undertake an initial assessment to determine appropriate next steps as required under this Policy, including making an initial threat assessment to ensure there is no immediate danger to Complainant or the campus community and, if there is, to take appropriate action, which may include emergency removal of Respondent as described below.

The Coordinator shall contact Complainant to discuss and give written notification of the availability of appropriate supportive measures that may be implemented with input from the Complainant irrespective of, and in addition to, any resolution process including the formal Grievance Process, and will notify Complainant about the right to have an advisor. The complainant has the right to decline notifying law enforcement but if the victim chooses to do so, campus authorities will assist notifying law enforcement of the incident.

If the report has been made without filing a Complaint, the Title IX Coordinator will review the allegations and discuss options with the Complainant, including the option of proceeding with a Complaint. If the Complainant does not want to proceed with a Complaint, the Coordinator may initiate a Complaint if the Coordinator determines that a Complaint is warranted.

If the Complainant files a Complaint, or the Title IX Coordinator initiates a Complaint, the matter will proceed as described under the Grievance Process.

After submission of a Complaint and after notifying the Respondent of the Complaint's allegations, the parties will be notified of the availability of informal resolution, as applicable. All parties must voluntarily consent in writing to any informal resolution process. The parties may withdraw such consent at any time and resume the formal Grievance Process.

At all stages of the process, irrespective of any resolution or grievance process which may be implemented, responsive and reasonable supportive measures will be implemented to ensure continued access to the School's educational program or activities.

### **Emergency Removal of Respondent**

The School reserves the right to remove a Respondent from its education program or activities on an emergency basis when the Respondent poses an immediate threat to the health or safety of any student or campus community member. The School will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. If an emergency removal is imposed, the Respondent will be given notice of the removal and the option to meet with a Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the removal should not be implemented. Emergency removal decisions are not subject to Appeal.

### **Administrative Leave of Employee Respondent**

Respondents that are School employees may be placed on administrative leave during the pendency of a grievance process as determined by the School and the Title IX Coordinator.

### **Complainant's Decision to Pursue a Complaint**

If a Complainant does not wish to be identified, does not wish for an investigation to take place, or does not want a Complaint to be pursued, the Complainant may make such a request to the Title IX Coordinator, who will evaluate the request in light of the duty to ensure campus safety and compliance with state and federal law. The School will comply with Complainant's wishes unless the Coordinator determines that initiating a Complaint is warranted under the circumstances.

If the Coordinator independently initiates a Complaint, the Complainant may have as much or as little involvement in the process as the Complainant desires. The Complainant retains all rights of a Complainant under this Policy irrespective of participation level. Irrespective of whether a Complaint is filed, the School shall offer supportive measures to ensure Complainant's continued access to the School's educational program and activities. If the Complainant elects not to file a Complaint, the Complainant shall retain the right to file a Complaint later.

### **Complaint Dismissal**

#### *Mandatory Dismissal*

The School must dismiss a Complaint if, at any time during the investigation or hearing, it is determined that:

- 1) The conduct alleged in the Complaint does not constitute sexual harassment as defined in under Title IX; and/or
- 2) The conduct did not occur in an educational program, activity or building controlled by the School; and/or

- 3) The School does not have jurisdiction over the Respondent; and/or
- 4) The conduct did not occur against a person in the United States; and/or
- 5) At the time of filing a Complaint, the Complainant is not participating in or attempting to participate in the education program or activity of the School.

### *Discretionary Dismissal*

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

- 1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Complaint or any allegation therein; or
- 2) The Respondent is no longer enrolled in or employed by the School; or
- 3) Circumstances prevent the School from gathering evidence sufficient to reach a determination as to the Complaint or allegations therein.

Upon any dismissal, the School shall promptly send written notice of the dismissal and its rationale simultaneously to the parties. This dismissal decision is appealable by any party under the procedures for appeal below.

Dismissed Complaints may include conduct that could be considered a potential violation of the School's Student Code of Conduct or Employee Handbook and may be addressed through other applicable, non-Title IX conduct policies and procedures accordingly.

### **Consolidated Complaints**

If a Complaint involves one or more Complaint, Complainant and/or Respondent and allegations arising out of the same set of circumstances, the School may elect to consolidate complaints.

### **Time Limits on Reporting**

There is no time limitation on making a report or Complaint. However, acting on reports or Complaints is significantly impacted by the passage of time and occurrence of other events (including, but not limited to, the rescission or any revision of this Policy), and is at the discretion of the Title IX Coordinator, who may, among other things, document allegations for future reference, offer supportive measures and/or Remedies, and/or engage in informal or formal action, as appropriate. Additionally, if the Respondent is no longer subject to the School's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide Remedies may be more limited or impossible.

### **Anonymous Report or Complaint**

If a Complainant makes a report anonymously, it will be investigated by the School to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or Remedies can be provided. Anonymous reports typically limit the School's ability to investigate and respond, depending on what information is shared. In some situations, the Title IX Coordinator may proceed with the issuance of a Formal Complaint even when the Complainant's report has been made anonymously.

### **Confidentiality**

The School shall undertake reasonable efforts to preserve the confidentiality of reports and Complaints. The School shall not disclose any report or Complaint except as provided herein and as necessary to

effectuate this Policy, or as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99, or as required under applicable law.

Certain professionals have a legal and/or ethical responsibility to maintain communications made in the scope of their professional roles in strict confidence.<sup>3</sup> Some of these roles include licensed professional counselors/mental health providers, licensed medical and health care providers, victim advocates, ordained/licensed clergy, licensed attorneys and rape crisis or domestic violence resources. Complainants or Respondents wishing to speak to someone confidentially are encouraged to seek out such resources. Communications with such professionals are considered legally privileged and cannot be revealed without a party's express written consent.

### **Supportive Measures**

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the School's education program or activity, including measures designed to protect the safety of all parties or the School's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available upon receipt of a report or a complaint alleging possible sexual harassment through written notification. At the time that supportive measures are offered, the School will inform the Complainant, in writing, that they may file a formal complaint with the School either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The School shall maintain the confidentiality of the supportive measures to the greatest extent reasonably practicable, provided that confidentiality does not impair the School's ability to provide supportive measures or otherwise fulfill its obligations under this Policy. The School will implement measures in a way that does not unreasonably burden the other party.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, referral to medical or healthcare services, referral to community-based services, 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, dealing with financial concerns (including providing financial aid guidance), visa and immigration, legal assistance, and other similar measures.

Requests for accommodations may be made to the department in which the accommodation is sought. If you are unsure where to go to make such a request, do not know what accommodations may be useful to you, or have other questions, please contact the Title IX Coordinator. Written notification of accommodations and/or protective measures will be given to the survivor.

### **Amnesty for Complainants and Witnesses**

The School encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report or participate in grievance processes because

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<sup>3</sup> In highly limited circumstances, such as when presenting an immediate threat or danger to another, or when subject to a court order, confidential communications may be revealed without the consent of a party.

they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the School community that Complainants choose to report misconduct to School officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, the School may offer parties and witnesses amnesty from minor violations of other School policies – such as underage alcohol consumption or personal use of illicit drugs – that may be associated with the incident.

Amnesty is not applicable to more serious allegations, such as physical abuse of another or illicit drug distribution.

### **Right to an Advisor**

The parties have the right to select an advisor of their choice to accompany them to any or all meetings and interviews during the resolution process. There are no limits on who can serve as an advisor; it may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. Under Title IX, cross-examination is required during the hearing, and must be conducted by the parties' advisors. If a party selects an advisor of their choice, this advisor must perform cross-examination on their behalf during the hearing, as the parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an advisor, or the advisor does not appear for a hearing, the School will provide one for the limited purpose of conducting cross-examination on behalf of the party.

An advisor who is also a witness to the allegations in the complaint creates potential for bias and conflict-of-interest. A party who chooses an advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s) and may, but will not necessarily, impact the Final Determination.

The School cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not select or retain an attorney or cannot afford an attorney, the School is not obligated to provide the other party with an attorney.

### **Conflict-of-Interest & Bias**

Title IX Personnel are trained to ensure they have no conflict of interest and are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally. To raise any concern involving bias, conflict of interest or other misconduct by any Title IX Personnel contact the School's President or Chief Operating Officer to report your concern.

P. Martin Liebman  
President  
26700 Lahser Rd, Ste 100, Southfield, MI 48033  
(248)358-9000  
mliebman@specshoward.edu  
<https://www.specshoward.edu>

Charlene Kernen  
Chief Operator Officer  
26700 Lahser Rd, Ste 100, Southfield, MI 48033  
(248)358-9000  
ckernen@specshoward.edu  
<https://www.specshoward.edu>

### **Resolution Timeline**

The School will make a good faith effort to complete the resolution process fairly and promptly. Duration of a matter that proceeds through the Formal Grievance Process is determined by many factors including, but not limited to, the cooperation and availability of the parties and witnesses, potential concurrent criminal investigations, and the School closures, among others. The School will avoid all undue delays within its control and will grant reasonable extensions of time, upon written request and showing of good cause, by a party. The School shall provide the parties written notice of delays and/or extensions, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

### **Notifications to Parties**

All notifications to the parties noted herein will be made by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official School records, or emailed to the parties' School-issued email or otherwise approved account. Once mailed, e-mailed and/or received in-person, notice will be presumptively delivered.

### **Clery Act Reporting**

Reports or complaints of sexual assault, domestic violence, dating violence, and/or stalking that pose a serious or continuing threat of bodily harm or danger to members of the campus community may trigger a timely warning obligation by the School under the Clery Act. If a warning is deemed necessary, the School will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

In addition, the School is obligated to report and disclose crimes under the Clery Act, including the crimes of sexual assault, domestic violence, dating violence and stalking as defined in this Policy, for statistical reporting purposes only. Reports of these crimes do not include personally identifiable information and therefore preserves the confidentiality of any involved parties.

### **Retaliation**

The School prohibits retaliation under this Policy. Retaliation may include intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy and procedure. Alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The School will take appropriate action to protect individuals who fear that they may be subjected to retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this Policy and procedure does not constitute retaliation. Relatedly, a determination of responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

### **The School's Mandatory Response Obligations**

Specs Howard School of Media Arts' mandatory response obligations under this Policy arise when Specs Howard School of Media Arts has Actual Knowledge of conduct that may constitute sexual discrimination, harassment, or retaliation, as defined herein. Actual Knowledge occurs when the Title IX Coordinator or a School official with authority to implement corrective measures ("OWA")<sup>4</sup> becomes aware of the potential occurrence of such conduct. Actual notice received by any of these OWAs constitutes Actual Knowledge upon which the School's mandatory response obligations arise under this Policy. Additionally, the School has identified Mandated Reporters<sup>5</sup> who are required under the School's policy to report known or suspected discrimination to the Title IX Coordinator. In these cases, the School must act to stop, remedy and prevent future recurrence of prohibited conduct through application of this Policy.

### **Notice, Dissemination and Publication of Policy**

Title IX requires Specs Howard School of Media Arts to notify applicants for admission or employment as well as students, employees, and, if applicable, unions or professional organizations holding collective bargaining of collective agreements with the School, of this Policy. Specs Howard School of Media Arts complies with Title IX's notice requirements, including prominently publishing its Non-Discrimination & Grievance Process Policy and contact information for the Title IX Coordinator on its website and in other publications.

## **III. Sexual Harassment Defined, Jurisdiction & Scope of Policy**

### **Sexual Harassment Defined**

For purposes of this Policy and the grievance process, Sexual Harassment has the meaning set forth below. Sexual Harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, gender and/or gender identity of those involved.

Sexual Harassment means:

Conduct on the basis of sex that satisfies one or more of the following:

- 1) Quid Pro Quo:
  - a. A School employee,
  - b. conditions the provision of an aid, benefit, or service of the School,
  - c. on an individual's participation in unwelcome sexual conduct; and/or

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<sup>4</sup> The School has designated as OWAs: **School Management, Faculty and Student Success Staff**

<sup>5</sup> The School has identified the following as Mandated Reporters: **All Staff**

2) Sexual Harassment:

- a. unwelcome conduct,
- b. determined by a reasonable person,
- c. to be so severe, and
- d. pervasive, and,
- e. objectively offensive,
- f. that it effectively denies a person equal access to the School's education program or activity.

3) Sexual assault, defined as:

a. Sex Offenses, Forcible:

- i) Any sexual act directed against another person,
- ii) without the consent of the Complainant,
- iii) including instances in which the Complainant is incapable of giving consent.

b. Forcible Rape:

- i) Penetration,
- ii) no matter how slight,
- iii) of the vagina or anus with any body part or object, or
- iv) oral penetration by a sex organ of another person,
- v) without the consent of the Complainant.

c. Forcible Sodomy:

- i) Oral or anal sexual intercourse with another person,
- ii) forcibly,
- iii) and/or against that person's will (non-consensually), or
- iv) not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

d. Sexual Assault with an Object:

- i) The use of an object or instrument to penetrate,
- ii) however slightly,
- iii) the genital or anal opening of the body of another person,
- iv) forcibly,
- v) and/or against that person's will (non-consensually),
- vi) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

e. Forcible Fondling:

- i) The touching of the private body parts of another person (buttocks, groin, breasts),
- ii) for the purpose of sexual gratification,
- iii) forcibly,
- iv) and/or against that person's will (non-consensually),
- v) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

f. Sex Offenses, Non-forcible:

- i) Incest:
  - 1) Non-forcible sexual intercourse,
  - 2) between persons who are related to each other,
  - 3) within the degrees wherein marriage is prohibited by Michigan law.
- ii) Statutory Rape:
  - 1) Non-forcible sexual intercourse,
  - 2) with a person who is under the statutory age of consent of 16 according to Michigan law.

4) Dating Violence, defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
  - i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
  - ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - iii. Dating violence does not include acts covered under the definition of domestic violence.

5) Domestic Violence, defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,
- d. by a person with whom the Complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the State of Michigan, or
- g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the State of Michigan.

\*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6) Stalking, defined as:

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person, that
  - i. would cause a reasonable person to fear for the person's safety, or
  - ii. the safety of others; or
  - iii. Suffer substantial emotional distress.

For the purposes of this definition—

- (i) Course of conduct means two or more acts, including, but not limited to,

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

### **Force, Coercion, Consent, and Incapacitation**

As used in the offenses above, the following definitions and meanings apply:

*Force:* Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent.

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

*Coercion:* 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 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.

*Consent:* Consent is knowing permission to engage in sexual activity that is voluntarily given through clear verbal communication or unambiguous behavior.

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.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

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

*Incapacitation:* A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this Policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to an alleged sexual assault violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard which assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

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.

This Policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

### **Positive Bystander Intervention**

“Positive Bystander Intervention” is an intervention by an individual who sees a dangerous or potentially dangerous situation and makes a decision to intervene, in order to prevent a situation from continuing or intensifying. Below are some key points regarding positive bystander intervention:

- Assess the situation: is there an unsafe situation? Does someone need your help? Would you be able to help?
- Ensure your own safety and don’t choose an intervention strategy that you’re not comfortable with or that would endanger you or anyone else
- Reach out for help from other bystanders to help intervene
- Decide the best action for intervention:
- Ask questions or engage the aggressor in conversation to distract the aggressor
- Separate the individuals
- Refuse to leave if you believe the aggressor’s intent is to isolate the targeted person
- Things to ask yourself after positive intervention:
- Have you reported the problem and the positive intervention to the right people?
- Is everyone safe now, including you?
- How can you make sure the situation stays safe?

## **Jurisdiction of the School**

If the Respondent is unknown or is not a member of the School community, the Title IX Coordinator will assist the Complainant as requested in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local law enforcement to file a police report upon request.

Further, even when the Respondent is not a member of the School's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator. In addition, the School may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from School property and/or events. All vendors serving the School through third-party contracts are subject to the policies and procedures of their employers, or if applicable, to these policies and procedures to which their employer has agreed to be bound by their contracts.

The School is committed to ensuring that orders of protection issued by courts are fully enforced on School property. Therefore, if a student or employee obtains a Personal Protection Order or Restraining Order, he or she should promptly inform the Student Success Department and provide the School with a copy of that order, so that the School can enforce it. The School is also committed to protecting victims from any further harm, and if the School determines that an individual's presence on campus poses a danger to one or more members of the School community, it can issue an institutional No Trespass letter barring that individual from School property.

## **Scope of the School's Educational Program and Activities**

For purposes of this Policy, the School's educational program or activities includes locations, events, or circumstances, within the U.S., where the School exercises substantial control over both the Respondent and the context in which the alleged sexual harassment or discrimination occurs and also includes any building owned or controlled by the School or by a student organization that is officially recognized by the School. It also includes online, and cyber manifestations of conduct prohibited by this Policy, when those behaviors occur in or have an effect on the School's education program and activities or use the School networks, technology, or equipment.

## **IV. Formal Grievance Process**

If a Formal Complaint is filed, the matter will proceed through the Grievance Process as outlined below and will include an objective investigation, live hearing with opportunity for cross-examination and the right to appeal. This process will treat complainants and Respondents equitably. Any provisions, rule or practice adopted by the School as part of the grievance process, other than those required under Title IX and its implementing regulations will apply equally to both parties. The process will include an objective evaluation of all relevant evidence (inculpatory and exculpatory), will be conducted by trained Title IX Personnel, free from any known conflict of interest or bias, and presumes Respondent's non-responsibility until and unless demonstrated otherwise by the evidence and after a Final Determination as been rendered. Disciplinary sanctions or punitive measures will not be imposed against a Respondent unless and until there has been a finding of responsibility after application of the process. If at any stage of the investigation it is determined that conditions exist warranting dismissal, the complaint will be dismissed. Complainant will continue to be entitled to appropriate supportive measures in such cases.

The School requires impartiality in the process by ensuring there are no actual or apparent conflicts of interest or disqualifying biases of any Title IX Personnel. The parties may, at any time during the resolution process, raise a concern regarding bias, conflict of interest, or any irregularity which may taint the impartiality of the process. Such concerns should be reported in writing to the Title IX Coordinator,

Deputy Title IX Coordinator, President or Chief Operating Officer who will evaluate the concern and take appropriate corrective action to ensure integrity of the process.

### **Notice of Allegations**

The Title IX Coordinator will provide written notice of the allegations to the Respondent and Complainant upon receipt of a Formal Complaint. The notice will be provided prior to any initial meeting or interview with the Respondent and their advisor, if applicable, allowing sufficient advanced notice to prepare.

The notice will include:

- A meaningful summary of all allegations,
- The identity of the parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies alleged to have been violated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that Respondent is presumed not responsible for the reported misconduct unless and until a Final Determination has been rendered at the conclusion of the process,
- Notice that the parties will be given an opportunity to inspect and review all directly related and relevant evidence obtained during the investigation,
- The School's policy on retaliation,
- Information about the privacy of the process,
- The right to have an advisor of their choice, who may be, but is not required to be, an attorney,
- A statement informing the parties that the School's policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- An instruction to preserve any evidence that is directly related to the allegations.

### **Investigation**

Trained Investigators will be assigned to investigate allegations contained in a Formal Complaint and will do so objectively. The burden to collect all evidence related to the allegations, including both inculpatory and exculpatory, rests on the School, and not on the parties. Investigators must be free from bias and conflicts of interest. Depending on the complexity of the case, more than one Investigator may be assigned.

### **Investigation Timeline**

The School will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation. The School may undertake a reasonable delay in its investigation under appropriate circumstances. Such circumstances include, but are not limited to, a concurrent law enforcement investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions. The School will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates as warranted. The School will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the School will implement supportive measures as deemed appropriate.

## **Concurrent Law Enforcement Investigation or Criminal Proceedings**

The School's grievance process is an administrative procedure required under Title IX to address sexual discrimination, and therefore is separate and independent of any law enforcement investigation or criminal proceedings. While a law enforcement investigation may necessitate a temporary delay in the School's grievance process, such law enforcement investigation does not replace the School's grievance process, as the School is legally obligated to address and remedy potential sexual harassment in its educational programs and activities as set forth in this Policy.

If an incident of sexual assault, domestic assault, dating violence, or stalking occurs, it is important to preserve evidence so that successful criminal prosecution remains an option if the complainant chooses. The victim of a sexual assault should not wash, shower or bathe, douche, brush teeth, comb hair, or change clothes prior to a medical exam or treatment. If a victim has removed the clothing he or she was wearing during the assault prior to seeking medical treatment, that clothing should be placed in a brown paper – not plastic – bag and brought to the hospital when treatment is sought. If the victim is still wearing the clothes that he or she was wearing during an assault, he or she should bring a change of clothes with him or her to the hospital so that the clothes containing possible evidence can be preserved and examined for evidence of the crime. Evidence of violence, such as bruising or other visible injuries, following an incident of sexual assault, or domestic or dating violence, should be documented by taking a photograph. Evidence of stalking, including any communications such as written notes, email, voice mail, or other electronic communications sent by the stalker, should be saved and not altered in any way.

## **The Investigation Process**

Investigators serve free from conflict of interest, objectively and without bias. All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses and obtaining available, relevant evidence. The School, not the parties, bears the burden of gathering evidence and burden of proof. Parties have equal opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The investigation will be conducted within a reasonably prompt timeframe, allowing for thorough collection and evaluation of all evidence related to the allegations. The investigator will keep the parties informed as to estimated timelines, and any delays.

Prior to the conclusion of the investigation, the parties will be provided with an electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the allegations in the Formal Complaint, whether or not it will be used in reaching a determination. The parties will have a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The Investigator will incorporate any relevant feedback provided by the parties during the review process, and the final report is then shared with all parties and their advisors through electronic transmission or hard copy at least ten (10) business days prior to a hearing.

## **Role and Participation of Witnesses in the Investigation**

Witnesses who are School employees are expected to cooperate with and participate in the School's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a Policy violation and may warrant discipline.

Interviews may occur in-person or remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies

may be used. The School will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

### **Recording of Interviews**

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of, and consent to audio and/or video recording.

### **Evidentiary Considerations in the Investigation**

The investigation includes collection of all evidence directly related to the allegations, which is not otherwise privileged. Only evidence which is also deemed relevant is summarized in the investigative report which is considered by the Decision-Maker(s), in rendering a determination of responsibility. All parties are provided the opportunity to review all non-privileged evidence gathered during the investigation which is directly related to the allegations in the complaint, whether or not it is also included in the investigative report. All parties are also provided with a copy of the investigative report summarizing relevant evidence only.

Relevant evidence does not include evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such evidence is offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the evidence concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent, and are offered to prove consent. Privileged evidence is likewise excluded from both the investigation, investigative report and hearing unless a party expressly waives this privilege in writing and consents to the release of this information during the grievance process.

### **Investigative Report**

Upon conclusion of the investigation, the Investigator will create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a hearing, will send the report to each party and the party's advisor, if any, the investigative report in an electronic format or hard copy, for their review and written response.

### **The Hearing**

Upon conclusion of the investigation and distribution of the investigative report to the parties, the matter will proceed to the hearing stage of the grievance process. The hearing will be offered live, in real-time and will include cross-examination. A Decision-maker(s) will be appointed to preside over the hearing, evaluate the evidence and make a determination as to each allegation in the complaint. The Decision-maker will be independent and neutral and will not have had any previous involvement with the investigation. Investigators, Title IX Coordinators (or designee) or advisors are prohibited from serving as Decision-makers.

The School reserves the right to adopt any hearing protocols, which will be applied and be made available equally to both parties, to ensure the efficiency, order and decorum of the hearing process. Any such protocols will be provided in writing to the parties, witnesses and participating individuals at least ten (10) days prior to the scheduled hearing date.

The School may designate an administrative facilitator of the hearing, which may include the Title IX Coordinator, as long as they do not have a conflict of interest.

The School may conduct the hearing virtually at their discretion or upon request of a party. Request for remote participation by any party or witness should be directed to the Title IX Coordinator made at least five (5) business days prior to the hearing.

The Decision-maker may question the parties and any witness at the hearing.

Only relevant questions, testimony and evidence may be proffered at the hearing, and the Decision-maker will make determinations as to relevancy of every question posed by an advisor during cross-examination before it is answered, and of any evidence offered.

Privileged evidence or testimony, likewise, may not be proffered during the hearing, without a party's waiver and written consent allowing its consideration at the hearing.

Parties may not conduct cross-examination. Advisors only will conduct cross-exam on a party's behalf. Only relevant questions will be allowed.

Parties, advisors, witnesses, and all participating individuals are expected to behave respectfully during the hearing. Harassing, intimidating or disruptive behavior will not be tolerated, and the School reserves the right to exclude anyone from participation in the process that fails to comport themselves accordingly.

An audio or audiovisual recording, or transcript will be made of the hearing, and will be made available to the parties for inspection and review. No other recording of the hearing will be allowed.

### **Evidentiary Considerations in the Hearing**

#### *Only Relevant Evidence Allowed*

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. Only evidence, which is directly related to the allegations, not subject to an enforceable legal privilege and not otherwise excludable as described here is considered relevant.

The hearing does not consider the following which are deemed not relevant: 1) incidents not directly related to the possible violation, unless they evidence a pattern; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, 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.

#### *Privileged Evidence Must be Excluded*

Evidence subject to any recognized legal privilege will not be allowed in the hearing without the prior written waiver of the privilege and consent for its consideration during the grievance process.

#### *When a Party/Witness Refuses to Submit to Cross-Examination*

If a party or witness does not attend or chooses not to submit to cross-examination at the hearing, the Decision-maker may not rely on any prior statement made by that party or witness in the ultimate determination of responsibility. The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

## **Final Determination as to Responsibility and Standard of Proof**

Upon completion of the hearing, the Decision-maker will deliberate privately and will render a finding as to each allegation in the complaint by applying the clear and convincing evidence standard of proof, meaning there is a high probability that the Respondent violated the Policy as alleged. The decision will be provided simultaneously to the parties through the issuance of a written determination letter, delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official the School records, or emailed to the parties' the School-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The determination letter will include:

1. Identification of the allegations potentially constituting sexual harassment as defined under the Policy;
2. 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 evidence, and hearing held;
3. Findings of fact supporting the determination;
4. Conclusions regarding application of the School's code of conduct to the facts;
5. A statement, and rationale for, the results as to each allegation, including a determination regarding responsibility, and disciplinary sanctions the School imposes on the Respondent, and whether Remedies designed to restore or preserve equal access to the Schools' education program or activity will be provided by the School to the Complainant; and
6. The School's permissible bases for the Complainant and Respondent to appeal.

The determination regarding responsibility becomes final after expiration or exhaustion of any appeal rights.

## **Sanctions, Disciplinary Action & Remedies**

The School may consider a number of factors when determining a sanction and/or remedy and will focus primarily on actions aimed at ending, and preventing the recurrence of, discrimination, harassment, and/or retaliation and the need to remedy its effects on the Complainant and campus community. Sanctions will be imposed upon either expiration of the appeal window, or after Final Determination on any appeal filed.

Sanctions or actions may include, but are not limited to, those listed below. These may be applied individually or in combination and the School may assign sanctions not listed, as deemed appropriate.

*Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any School policy, procedure, or directive will result in more severe sanctions/responsive actions. A written reprimand for violation of School policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any School 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 three days and/or until specific criteria are met. Students who return from suspension are automatically placed on warning through the remainder of their tenure as a student at the School.

*Administrative Withdrawal:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend School-sponsored events.

*Other Actions for Employees:*

*Warning – Verbal or Written*  
*Performance Improvement/Management Process*  
*Required Counselling*  
*Required Training or Education*  
*Probation*  
*Loss of Oversight or Supervisory Responsibility*  
*Demotion*  
*Suspension with or without pay*  
*Termination*

*Other Actions:* In addition to or in place of the above sanctions, the School may impose any other sanction as deemed appropriate.

### **False Allegations and Evidence**

Making deliberately false and/or malicious accusations, knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation are policy violations subject to discipline.

### **Long-Term Remedies/Other Actions**

Following the conclusion of the resolution process, and in addition to any sanctions imposed, the Title IX Coordinator may implement additional long-term Remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

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

- Referral to counseling and health services
- Education to the individual and/or the community
- Alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification
- Training or awareness campaigns
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Adjustments to academic deadlines, course schedules, etc.
- Modified campus security measures

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no Policy violation is found.

The School will maintain the privacy of any long-term Remedies, provided privacy does not impair the School's ability to provide these services.

### **Failure to Comply with Disciplinary Sanctions or other Remedies**

Respondents are expected to comply with any disciplinary sanction or remedy as set forth in the Final Determination or in response to a final outcome. Failure to abide by the sanction(s)/action(s) whether by refusal, neglect, or any other reason, may result in additional disciplinary action, including suspension, administrative withdrawal, and/or termination.

### **Appeals**

Any party may file an Appeal on the following grounds. Appeals must be submitted in writing to the Title IX Coordinator within five (5) days of the delivery of the Notice of Outcome. After expiration of the appeal window, the determination will be considered final, and any applicable sanctions will be imposed.

#### *Grounds for Appeal*

Appeals may be made on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
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 affected the outcome of the matter.

Any sanctions imposed as a result of the Final Determination are stayed during the appeal process. Title IX personnel with prior involvement in the matter will not be permitted to serve as a Decision-maker in the appeal. Appeals will not include a hearing. A decision on the merits will be based on information provided in the appeal document. If an appeal is based on the availability of new evidence, this evidence must be described with specificity and must be available for review within a reasonably prompt timeframe for consideration.

The appeal outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, and the rationale supporting the findings. Appeal decisions will be made within seven (7) business days, barring exigent circumstances, including the review of new evidence not immediately available for submission with the appeal request. Decisions on appeal will be made by applying the clear and convincing standard.

Notification of the appeal outcome will be made in writing and will be delivered simultaneously to the parties by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official School records, or emailed to the parties' School-issued email or otherwise approved account. Once mailed, e-mailed and/or received in-person, notice will be presumptively delivered. Decisions on appeal are considered final.

## **Record Retention**

The School shall maintain the following records related to the implementation of this Policy for at least seven years:

1. Reports or Formal Complaints alleging sexual discrimination, including harassment.
2. Records of any dismissal of a Formal Complaint.
3. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
4. Any disciplinary sanctions imposed on the Respondent;
5. Any Remedies implemented by the School designed to restore or preserve equal access to the School's education program or activity;
6. Any appeal and the result therefrom;
7. Any Informal Resolution and the result therefrom;
8. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. The School will make these training materials publicly available on the School's website; and
9. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
  - a. The basis for all conclusions that the response was not deliberately indifferent;
  - b. Any measures designed to restore or preserve equal access to the School's education program or activity; and
  - c. If no supportive measures were provided, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

## **Revision of this Policy**

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation under Title IX and will be reviewed and updated subject to any relevant change in law or School policy, and on a recurring periodic basis, by the Title IX Coordinator. The School reserves the right to make changes to this Policy as necessary, which become effective when published.

This Policy will not restrict any rights guaranteed against government action by the U.S. Constitution and should be interpreted accordingly and should also be construed to comply with the most recent government regulations or applicable judicial decisions.

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

This Policy and procedures are effective August 14, 2020.

## **Appendix A: Definitions**

***Actual Notice.*** Notice of sexual harassment or allegations of sexual harassment to the School's Title IX Coordinator or any official of the School who has the authority to institute corrective measures on behalf of the School. The School receives notice when an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge.

***Complainant.*** An individual who is alleged to be the victim of conduct that could constitute harassment, discrimination or retaliation under Title IX.

**Consolidated Complaint.** A formal complaint with more than one Complainant or Respondent arising when multiple parties submit formal complaints arising out of the same facts and circumstances and as deemed appropriate for consolidation by the Title IX Coordinator.

**Deputy Title IX Coordinator.** Any employee delegated with responsibility for compliance with Title IX and this Policy by the Title IX Coordinator and acting within the scope of authority of a Title IX Coordinator as set forth herein.

**Education Program or Activity.** Locations, events, or circumstances where the School exercises substantial control over both the Respondent and the context in which the alleged sexual harassment or discrimination occurs and also includes any building owned or controlled by the School or by a student organization that is officially recognized by the School.

**Final Determination:** A decision rendered and provided in writing to the parties of a Formal Complaint after application of the School's Grievance Process concluding whether or not Respondent is responsible for conduct alleged within a Formal Complaint in violation of this Policy.

**Finding:** A conclusion within the Final Determination as evaluated under the burden of proof that a specific allegation within a Formal Complaint did or did not occur.

**Formal Complaint.** A document filed and signed by the Complainant or signed by the Title IX Coordinator alleging a Policy violation by a Respondent and requesting that the School investigate the allegation(s).

**Formal Grievance Process.** The method of formal resolution designated by the School to address conduct that falls within the scope of this Policy, and which complies with the requirements of 34 CFR Part 106.45.

**Decision-maker(s).** A trained individual with responsibility for making a Final Determination as set forth in the School's Grievance Process. A Decision-maker must maintain neutrality and cannot perform the function of either the Title IX Coordinator or Investigator.

**Informal Resolution Process.** An alternative resolution process which may be available to the parties to seek Resolution of a Formal Complaint in lieu of the Formal Grievance Process. Informal resolution is facilitated by appropriately trained individuals, is made available at the discretion of the School and as deemed appropriate by the Title IX Coordinator, and offered only if informed, voluntary and written consent is made by all parties to a complaint. Any party may opt-out of the informal process at any time, and the matter will proceed through the Formal Grievance Process. Examples of informal resolution include, but are not limited to, mediation and restorative justice.

**Investigator.** A trained individual responsible for fulfilling the School's burden of gathering and evaluating all evidence related to allegations within a Formal Complaint as required under the School's Grievance Process.

**Mandated Reporter.** An employee of the School who is obligated by Policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.

**Official with Authority.** An employee of the School explicitly vested with the responsibility to implement corrective measures for Title IX harassment, discrimination, and/or retaliation on behalf of the School.

**Parties.** The Complainant(s) and Respondent(s), collectively.

**Remedies.** Post-Finding actions directed to the Complainant and/or the community implemented to address safety, prevent the recurrence of harassment, and ensure continued access to the School's educational program.

**Respondent.** An individual who has been reported to be the perpetrator of conduct that could constitute harassment, discrimination or retaliation under Title IX.

**Sanction.** A disciplinary consequence imposed by the School on a Respondent who is found to have violated this Policy.

**Sexual Harassment.** Behavior or conduct as defined under Title IX and its implementing regulations at 34 CFR 106, and as more fully articulated in this Policy.

**Title IX Coordinator.** The School's employee responsible for ensuring compliance with Title IX.

**Title IX Personnel.** Those individuals collectively tasked with implementation of this Policy and Grievance Process including specifically, the Title IX Coordinator, Deputy Title IX Coordinator, (including any designees as applicable), any Investigator or any Decision-maker.

## **Policy for Reporting the Annual Disclosure of Crime Statistics**

The Specs Howard School of Media Arts prepares the Annual Security Report to comply with the disclosure of crime statistics as required by 34 CFR 668.46, Student Assistance General Provisions, Institutional Security Policies and Crime Statistics. The compilation of crime statistics uses the definitions of crimes provided in the Federal Bureau of Investigation's Uniform Crime Reporting Handbook.

The School's overall safety policy encourages accurate and prompt reporting of all crimes and emergencies. Criminal activity and emergencies should be reported, either in person or via the telephone, to the police agency and to the Student Success Department. This report is prepared in cooperation with the local law enforcement agencies surrounding the School's facilities and the Student Success Department. Each entity provides updated information on their efforts and programs to comply with the Act. Campus crime, arrest and referral statistics include those reported to the SHS Student Success Department and local law enforcement agencies. These statistics may also include crimes that have occurred adjacent to SHS property. All students, staff and faculty are notified annually of the Annual Security Report.

The crime statistics, which are published annually, act as our publicly available record for the Cleary Act and VAWA reporting and disclosures, and are available on our website and at the front desk. The crime statistics do not include personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925 (a)(20)).

NOTE: none of the crime occurrences or arrests reported below manifests evidence of prejudice based on race, gender and gender identity, religion, disability, sexual orientation, ethnicity, or national origin as prescribed by the Hate Crimes Statistics Act: (28 U.S.C. 534).

Specs Howard School of Media Arts Crime Statistics Southfield Campus 2019	On Campus Reports (Incident & Police)			Police Reports on Public Property			Police Reports in or on a Non-Campus Building or Property		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
<b>Crime Classification</b>									
<b>Primary Crimes</b>									
Murder/non-negligent manslaughter	0	0	0	0	0	0	N/A	N/A	N/A
Negligent manslaughter	0	0	0	0	0	0	N/A	N/A	N/A
Rape	0	0	0	0	0	0	N/A	N/A	N/A
Fondling	0	0	0	0	0	0	N/A	N/A	N/A
Incest	0	0	0	0	0	0	N/A	N/A	N/A
Statutory rape	0	0	0	0	0	0	N/A	N/A	N/A
Robbery	0	0	0	0	0	0	N/A	N/A	N/A
Aggravated assault	0	0	0	0	0	0	N/A	N/A	N/A
Burglary	1	0	0	0	0	0	N/A	N/A	N/A
Motor vehicle theft (not theft from a vehicle)	0	0	0	0	0	0	N/A	N/A	N/A
Arson	0	0	0	0	0	0	N/A	N/A	N/A
<b>Arrests:</b>									
Liquor Law Violation	0	0	0	2	0	0	N/A	N/A	N/A
Drug Abuse Violation	0	0	0	2	0	0	N/A	N/A	N/A
Weapons Possession	0	0	0	0	0	0	N/A	N/A	N/A
<b>Disciplinary Action:</b>									
Liquor Law Violation	0	0	0	0	0	0	N/A	N/A	N/A
Drug Abuse Violation	0	0	0	0	0	0	N/A	N/A	N/A
Weapons Possession	0	0	0	0	0	0	N/A	N/A	N/A
<b>Hate Crimes:</b>									
Murder/non-negligent manslaughter	0	0	0	0	0	0	N/A	N/A	N/A
Negligent manslaughter	0	0	0	0	0	0	N/A	N/A	N/A
Rape	0	0	0	0	0	0	N/A	N/A	N/A
Fondling	0	0	0	0	0	0	N/A	N/A	N/A
Incest	0	0	0	0	0	0	N/A	N/A	N/A
Statutory rape	0	0	0	0	0	0	N/A	N/A	N/A
Robbery	0	0	0	0	0	0	N/A	N/A	N/A
Aggravated assault	0	0	0	0	0	0	N/A	N/A	N/A
Burglary	0	0	0	0	0	0	N/A	N/A	N/A
Motor vehicle theft (not theft from a vehicle)	0	0	0	0	0	0	N/A	N/A	N/A
Arson	0	0	0	0	0	0	N/A	N/A	N/A
Larceny/theft	0	0	0	0	0	0	N/A	N/A	N/A
Simple Assault	0	0	0	0	0	0	N/A	N/A	N/A
Intimidation	0	0	0	0	0	0	N/A	N/A	N/A
Destruction/damage/vandalism of property	0	0	0	0	0	0	N/A	N/A	N/A
<b>VAWA Offenses:</b>									
Domestic Violence	0	0	0	0	0	0	N/A	N/A	N/A
Dating Violence	0	0	0	0	0	0	N/A	N/A	N/A
Stalking	2	0	0	0	0	0	N/A	N/A	N/A
<b>Unfounded Crimes:</b>									
Total unfounded crimes	0	0	0	0	0	0	N/A	N/A	N/A

## **Campus Safety and Security**

The Specs Howard School of Media Arts is committed to providing a safe and secure environment for all members of the SHS community. We work together to prevent crime, fire and accidents.

The School's overall safety policy encourages accurate and prompt reporting of all crimes and emergencies to the Student Success Department, either in person or via an Incident Report Form which is available at the front desk.

This manual is intended to provide our staff and students with safety and security information and procedures. Reviewing the information will increase your awareness of the services and procedures followed at the School. We encourage our staff and student body to use these to enhance their safety and security.

The Specs Howard School is committed to providing a safe environment. However, each of us has a personal responsibility for our own safety. Working together, we can make SHS a safe learning environment.

### **SHS Photo ID**

All SHS staff and students are issued an SHS Photo ID. The ID must be displayed whenever the staff member or student is on campus.

If a student has misplaced or forgotten their Photo ID, they will need to report to the front desk for a temporary or replacement badge. If a student's badge is not visible, an instructor or staff member may stop the student and require them to display it.

## **EMERGENCY POLICIES AND PROCEDURES**

### **Determination of an Emergency**

In the event of a possible emergency situation that would require campus-wide notification (e.g., bomb threat, explosion, fire, physiological crisis, shooting, tornado, utility failure or violent criminal behavior), the determination of a significant emergency or dangerous situation will be made in the following manner:

A consensus of opinion is to be reached by at least two of the following staff members:

- School President
- Chief Operating Officer
- Director of Education
- LRS & Online Learning Supervisor
- Director of Human Resources
- Student Success Supervisor

If none of the above is available or cannot be reached via telephone, a determination will be made by a consensus of opinion of the staff available at that time. Once a determination is made, the Chief Operating Officer, Director of Education, and LRS & Online Learning Supervisor, must be notified.

### **Emergency Notification**

If it is determined that the situation is an emergency, SHS will, without delay, and taking into account the safety of the community, determine the content of, and initiate, the notification, unless issuing a

notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The content of each notification is detailed below under each emergency situation.

To decide who in the campus community will be notified, a consensus of opinion is to be reached by at least two of the following staff members:

- School President
- Chief Operating Officer
- Director of Education
- LRS & Online Learning Supervisor
- Director of Human Resources
- Student Success Supervisor

If none of the above is available or cannot be reached via telephone, a decision will be made by a consensus of opinion of the staff available at that time. Once a decision is made of who in the campus community to notify, the Chief Operating Officer, Director of Education, and LRS & Online Learning Supervisor, must be notified.

Methods of communication will depend on the situation and who is to be notified, using some of the methods listed below.

- **Campus-wide email:** follow instructions in the email
- **Overhead paging system:** emergency message broadcast over the campus camera and telephone system. Follow the instructions in the message
- **Text messages (SMS):** all students, faculty and staff can sign up to receive text messages (SMS) on their mobile devices. Standard text messaging rates from the subscriber's mobile carrier may apply. Follow the instructions in the message
- **Verbal messages:** spread by staff and students in the building
- **Air horn:** Elongated blasts from the air horn throughout the building along with verbal messages

Disseminating emergency information to the larger community will be done by law enforcement after SHS contacts 911.

## **GENERAL EVACUATION INFORMATION**

- 1) All building evacuations will occur following the determination of an emergency by the appropriate SHS staff. Upon the determination of an emergency, an emergency message will broadcast over the campus telephone system to alert all students and staff that an emergency exists.
- 2) Know the marked exits for the building. Know the exit routes for your work area.
- 3) Leave the building immediately with your personal possessions (purse, cell phone, laptop, etc.) when directed by SHS staff.
- 4) Notify staff of persons with disabilities who are in the building and cannot evacuate.
- 5) Notify occupants, other than SHS staff and students, about the evacuation.
- 6) Do not use the elevator in case of fire.
- 7) Once outside, move to the assembly area, which is on the North side of the parking lot near the I-696 service drive.

- 8) All instructional staff in class at the time of an emergency evacuation will be responsible for verifying that all class members have evacuated the building and are present at the gathering area. Verification of students and/or missing students is to be reported to SHS management.
- 9) All department heads are responsible for verifying that all department members have evacuated the building and are present at the gathering area. Verification of personnel and/or missing personnel is to be reported to senior SHS staff.
- 10) Keep driveways and sidewalks clear for emergency vehicles and personnel. Do not return to the evacuated building unless directed to do so by SHS staff. Notify someone if you leave the assembly area.
- 11) SHS management will decide if operations will resume, or if the building will be closed. Students will be notified of that decision.

The notification will be communicated to the President, Student Success Department and Director of Education, LRS & Online Learning Supervisor, and will include information regarding the type of emergency and what actions are being taken.

### **Annual Test of Emergency Response and Evacuation Procedures**

The Specs Howard School will conduct an annual test of an emergency response and/or evacuation. This test may be announced or unannounced and will be documented by the Student Success Department.

Type of drill: Fire Drill Procedure – Semi-announced

Date of drill: November 9, 2020

Time drill started: 2:59 PM

Time drill concluded: 3:05 PM

How long did response/evacuation take: 5 minutes 10 seconds

Time alarm sounded: 2:59 PM

Time when employees/students were moved to safe areas: 3:04 PM

#### COMMENTS:

The drill started with blasts from the air horn and verbal messages. The fire drill proceeded smoothly with no problem getting everyone to the safety area in the north side of the parking lot. Total time until staff and students were situated in safe areas was 5:10. It's noted that some staff areas have options to various exits, they must take the one that gets them to the "safe" zone the quickest.

Type of drill: Fire Drill Procedure – Semi-unannounced

Date of drill: September 3, 2019

Time drill started: 1:54 PM

Time drill concluded: 2:00 PM

How long did response/evacuation take: 4 minutes 9 seconds

Time alarm sounded: 1:54 PM

Time when employees/students were moved to safe areas: 1:58:09 PM

#### COMMENTS:

Fire drill started with air horn blasts with verbal messages, and proceeded smoothly with no problem getting everyone to the safety area in the north side of the parking lot. Total time until staff and students were situated in safe areas was 4:09. It is noted that some staff areas have options to various exits; they must take the one that gets them to the safe zone most quickly.

## KEY CONTACTS

### Student Success Department

Contact: Avery Thomas  
Student Success Supervisor  
Deputy Title IX Coordinator  
Phone: (248) 358-9000  
[athomas@specshoward.edu](mailto:athomas@specshoward.edu)

### Media Inquiries

Contact: Char Kernen  
Chief Operating Officer  
Phone: (248) 358-9000  
[ckernen@specshoward.edu](mailto:ckernen@specshoward.edu)

### Immigration Assistance

Contact: Karen Nocita  
Compliance Officer  
Phone: (248) 358-9000  
[knocita@specshoward.edu](mailto:knocita@specshoward.edu)

### Southfield Police

#### Emergency: 911

Non-Emergency: (248) 796-5500

### Assault

In the event of a person stating that they have been physically and/or sexually assaulted, immediately call 911 for the Southfield Police Department, and notify the Student Success Department and/or an SHS faculty or staff member. The purported victim will be escorted to the private conference room on the north side of the building, near the restrooms.

If possible, a staff member will stay with the person until the police arrive. The person will be asked if they can give a name and/or description of the person who allegedly assaulted them, including any characteristics about the assailant's appearance, speech, and mannerisms.

Upon arrival of the police, the victim and all relevant materials will be turned over to the police.

### Bomb Threat

If you observe a suspicious object which may be a potential bomb on campus, do not handle the object. Clear the area and immediately contact an SHS management member, who will determine if the Southfield Police should be called.

Any student or staff receiving a telephone call that a bomb or other explosive device has been placed on campus should obtain as much information from the caller as possible:

- 1) Time of the call and the phone line on which the call was received
- 2) Description and location of the alleged bomb
- 3) Perceived personal characteristics and gender of the caller
- 4) Noticeable speech pattern, accent, etc.
- 5) Description of any background noise

### Education Department

Contact: Jeremy Anderson  
Director of Education  
Phone: (248) 358-9000  
[janderson@specshoward.edu](mailto:janderson@specshoward.edu)

### Education Department

Contact: Tim Peterson  
LRS & Online Learning Supervisor  
Phone: (248) 358-9000  
[tpeterson@specshoward.edu](mailto:tpeterson@specshoward.edu)

### Financial Aid Department

Contact: Angela Burt  
Director of Financial Aid  
Phone: (248) 358-9000  
[aburt@specshoward.edu](mailto:aburt@specshoward.edu)

## 6) Reason the bomb was placed on campus

The police department will conduct a detailed bomb search. If an evacuation order is given, all students and staff will be notified of the bomb threat via the overhead paging system and air horn blasts with verbal messages, and will evacuate the building following the instructions in General Evacuation Information (above). Everyone is to leave the building via the nearest marked exit and should alert others to do the same. Assist persons with disabilities in exiting the building.

Do not use the elevator in case of fire.

If there are persons with disabilities who are in the building and cannot evacuate, notify the police or emergency personnel.

Once outside, move as far from the building as possible, to the north side of the parking lot near the I-696 service drive. Keep the driveways and sidewalks clear for emergency vehicles and personnel. No one will be allowed to return to the evacuated building unless directed to do so by the police department and/or SHS management.

### **Explosion, Aircraft Crash or Similar incident**

Immediately seek cover under tables, desks or anything that will provide protection against falling glass or debris.

After the effects of the incident have subsided, call 911. Give your name and describe the location and nature of the emergency.

If the building must be evacuated, follow the instructions in General Evacuation Information (above). The evacuation message will be disseminated based on building conditions, via overhead page or air horn with verbal messages.

Notify emergency personnel of persons with disabilities who are in the building and cannot evacuate.

Do not use the elevator in case of fire.

Once outside, move as far from the building as possible, to the north side of the parking lot near the I-696 service drive. Keep the driveways and sidewalks clear for emergency vehicles and personnel. No one will be allowed to return to the evacuated building unless directed to do so by the police department. Notify an SHS staff member if you leave the area.

Do not return to the area. Do not pick up any debris. Do not smoke or light a match.

### **Fire**

Immediately call 911 to report a fire, giving the address and location of the building. Notify the front desk, who will pull the fire alarm, give evacuation orders throughout the building using general evacuation information, and will notify everyone that this is a fire evacuation.

Evacuate the area immediately, closing doors as you leave, but do not lock the doors.

Evacuate the building using the most direct route and nearest exit, following the guidelines in General Evacuation Information (above).

Do not use the elevator.

For accountability, or if information or assistance is needed, staff and students will meet at the assembly area, which is on the north side of the parking lot near the I-696 service drive.

Notify fire or other emergency personnel of any special circumstances, such as failure of staff to evacuate persons with disabilities. Notify emergency personnel of anyone who may not have evacuated the building.

Should you become trapped in a location, call 911, if possible, to inform the fire department of your location. If near a window, place the largest and most visible piece of material in that window to indicate your location, and stay low on the floor.

### **Lockdown**

The term “Lockdown” refers to a dangerous circumstance in or near the School that, for safety reasons, requires every person in the building to immediately go to a room, lock the door(s), turn off the lights, draw window blinds, and remain out of view of the window next to the door and of outside windows (if applicable).

Our school environment is intended to be open, so that students, faculty and staff can freely communicate in a friendly environment. SHS has few restrictions on who can enter or leave the campus. However, given the times that we live in, with threats of terrorism, other hostile events or even natural disasters, the School must be prepared to deal with these situations in a proactive manner.

As the nation, state and community develop plans to cope with the various threat levels, SHS is obligated to do its part to protect the safety of our students, and plan for continuity of future operations. There are situations where a lockdown of facilities may be necessary in order to afford this protection or gain control over a given situation.

Although Lockdown is not always a preferred method of planned reaction, students should understand that it might have to be used in certain situations. Some examples may include:

- Chemical release from a local industry
- Sniper on campus
- Terrorist threat to the School or area near the School
- Police action

Notification of a lockdown may vary depending on the situation.

### **Lockdown Procedures**

Upon determination by appropriate SHS management of an emergency that warrants a Lockdown, the following steps will be taken:

- An SHS staff member will call 911 if the police have not already been notified of the circumstance.
- An announcement will be made over the Overhead Paging System and in person. “School Lockdown” will be announced three times.
- All classrooms will be notified using the same procedure.
- Other tenants in the building and the appropriate building manager will be notified.

Employees who are near studios, labs, lobby areas, restrooms, and other areas where students may gather, will notify students of the Lockdown and direct them to rooms that can be locked.

All employees will notify any other employees who, for any reason, may not have heard the Lockdown announcements.

Once a Lockdown announcement has been issued, everyone should remain in Lockdown until they receive a notification that the Lockdown has been deactivated.

A Lockdown will be deactivated by emergency personnel and/or SHS management.

Notification of the deactivation of a Lockdown will be given using the same notification procedures listed above.

### **Shooting Incident**

The Specs Howard School of Media Arts hopes it never experiences a shooting incident, but it is important that everyone should know what to do if this were to happen on our campus.

This type of incident is unpredictable, and your immediate response depends on the situation you may face. The following guidelines are based on the best practices established by law enforcement.

If possible to do so safely, exit the building immediately when you become aware of the incident, moving away from the immediate path of danger, and take the following steps:

- 1) Tell anyone you encounter to exit the building immediately.
- 2) Evacuate to a safe area away from the danger, and take protective cover. Stay there until assistance arrives.
- 3) Call 911, providing the dispatcher with the following information:
  - a) Your name
  - b) Location of the incident (be as specific as possible)
  - c) Your exact location
  - d) Number of shooters (if known)
  - e) Identification or description of shooter(s)
  - f) Number of persons who may be involved
  - g) Injuries to anyone, if known
- 4) Individuals not immediately impacted by the situation are to take protective cover, staying away from windows and doors until notified otherwise.

If you are directly involved in an incident and exiting the building is not possible, the following actions are recommended:

- 1) Go to the nearest room or office.
- 2) Close and lock the door.
- 3) Turn off the lights.
- 4) Draw the blinds
- 5) Seek protective cover.
- 6) Keep quiet and act as if no one is in the room.
- 7) Do not answer the door.
- 8) Notify 911, if it is safe to do so, providing the dispatcher with the following information:

- a) Your name
  - b) Location of the incident (be as specific as possible)
  - c) Your exact location
  - d) Number of shooters (if known)
  - e) Identification or description of shooter(s)
  - f) Number of persons who may be involved
  - g) Injuries to anyone, if known
- 9) Wait for police to assist you out of the building.

In either of the above circumstances, if you are able to call 911, do so, and then call the front desk at the School and inform them of the situation.

A campus-wide Lockdown would then be issued. Follow the procedures outlined in Lockdown Procedures (above).

### **Psychological Crisis**

A psychological crisis exists when an individual is threatening to harm himself/herself or others, or is out of touch with reality due to severe drug reactions or a psychotic break.

Symptoms of a psychotic break may include hallucinations and uncontrolled behavior. A person undergoing a psychotic crisis may also be a runaway from a psychiatric hospital. If you encounter a person who seems to be having a psychological crisis, call 911.

### **Tornado**

If a Tornado Warning is issued by the National Weather Service for the area immediately adjacent to the campus, and/or if a tornado is sighted near the campus, an overhead page will sound notifying every one of the tornado emergency and to take shelter on the first floor, away from windows. The emergency page will be repeated three times. After notification, following steps should be taken:

- 1) If indoors, go to the lowest level of the building. Interior hallways, offices, and classrooms are preferable, away from glass windows.
- 2) If outdoors, go to the nearest ditch or depression, away from power lines, buildings and trees. Do not stay in a car or attempt to outrun a tornado.
- 3) If a tornado occurs, evaluate the situation after it has passed, and if emergency help is needed, call 911. Be aware of dangerous structural conditions. If a decision is made to evacuate the building, an overhead page (if working) will sound to evacuate the building. (If the paging system is not operational, notification will take place via verbal messages.) Evacuate the building following the guidelines in General Evacuation Information (above). Report damaged facilities to the Operations Department and/or the building manager. Note: gas leaks and power failures create special hazards. Do not smoke or light a match.
- 4) Refer to the section entitled Utility Failure (below).
- 5) Notify emergency personnel of persons with disabilities who might be in the building and cannot evacuate.
- 6) Do not use the elevator in case of fire.
- 7) Once outside, move as far from the building as possible, to the north side of the parking lot near the I-696 service drive. Keep the driveways and sidewalks clear for emergency vehicles and personnel. Do not return to the evacuated building unless directed to do so by SHS management or emergency personnel.

### **Utility Failure**

In the event of a utility failure, notify the front desk receptionist who will then contact the building manager.

If there is danger to building occupants, call 911 and follow general evacuation guidelines, notifying everyone that the evacuation is due to a utility failure.

Do not use the elevator in case of fire.

### **Electrical / Light Failure**

In the event of an electrical failure, notify the front desk receptionist who will contact Detroit Edison (800-477-4747) and the building manager. If an electrical failure lasts more than 10 minutes, SHS management will make a determination as to whether or not to evacuate the building. Emergency lighting is only required in certain areas, and is only designed to provide enough lighting to exit the building in an emergency. (Battery-operated emergency lights last only a short time – approximately 20 minutes.) Evacuate the building following the guidelines in General Evacuation Information (above), and, using an overhead page (and/or verbal messages if phones are not working), notify everyone that the evacuation is due to an electrical/lighting failure.

### **Elevator Failure**

If someone is trapped in the elevator, notify the front desk receptionist who will contact the building manager. Never attempt to remove anyone from an elevator stopped between floors.

### **Plumbing Failure/Flooding**

In case of a plumbing failure or a flood, power down all electrical equipment. Notify the front desk receptionist who will contact the building manager. If necessary, vacate the area affected by the flood, notifying others using verbal messages.

### **Serious Gas Leak**

If there is a serious gas leak, vacate the area. Do not turn lights or any electrical equipment on or off; electrical arcing can cause an explosion. Do not smoke, or light matches or lighters. Notify the front desk receptionist who will contact Consumers Energy (800-477-5050) and the building manager. If an emergency situation exists, the building will be evacuated following the guidelines in General Evacuation Information (above), and everyone will be notified of the gas leak and evacuation.

### **Ventilation Problem**

If there is fire or an odor originating in the ventilation system or equipment, vacate the area. Once outside, move to a clear area a safe distance from the building. Notify the front desk receptionist who will contact 911 and the building manager. If the entire building is to be evacuated, follow the guidelines in General Evacuation Information (above), notifying every one of the ventilation problem and evacuation. Do not return to the evacuated building unless directed to do so by SHS management or emergency personnel.

### **Weapons and/or Violent Criminal Behavior**

Be alert for suspicious situations or persons and report them to the front desk and/or the Student Success Department, and fill out an incident report. The appropriate parties will decide if an emergency exists. If it is determined that an emergency does, in fact, exist, the appropriate steps will be taken for evacuation or lockdown. Do not attempt to confront anyone with a weapon or who is exhibiting violent behavior. If you feel that you or someone else is in immediate danger, make every attempt to call 911. If safe to do so, leave the building immediately. If exiting the building could expose you to further danger, lock yourself inside a room and barricade the door. Lie on the floor and wait for police to arrive. When the police arrive, stay on the floor and do not move until told to do so by the police.

If you are a victim, or if you witness any on-campus violation of the law, such as assault, robbery or theft, contact 911 as soon as possible and give them the following information:

- 1) Nature of the incident
- 2) Location of the incident
- 3) Description of the person(s) involved
- 4) Description of property involved

If you are a witness to a criminal act or notice a person acting suspiciously on campus, call 911 and give them the information outlined above.

### **Medical and First Aid**

If a serious injury or illness occurs, call 911 and/or tell an SHS faculty or staff member. When calling 911, give your name, description of the nature and severity of the medical problem, and the location of the victim(s).

While waiting for emergency personnel, perform the following steps:

- Keep victim still and comfortable; do not move the victim
- Ask the victim what is wrong, and if they are okay
- Monitor breathing and condition of victim
- Control serious bleeding by direct pressure on the wound
- Look for emergency medical ID
- Question witnesses and give all information to emergency personnel

For minor injury or illness, first aid materials are located in the Mail Room and in the Graphics room.

Note: professional medical care should be sought after first-aid is given, by calling 911.

### Poisoning and Overdose

- Stay with the victim and assist as necessary
- If choking, lower victim's head

### Choking

- Check victim's mouth and clear matter
- Use abdominal thrusts, if trained to do so

### Fainting, Unconsciousness and Shock

- Have victim lie down or sit down and rest

### Heart Attack

- Place victim lying down on back
- Administer CPR or attempt resuscitation, if trained to do so

### Burns — Thermal and Chemical

- Flood chemical burn with cool water
- Cover burn with dry bandage
- Keep victim quiet and comfortable

#### Fractures and Sprains

- Keep victim still
- Keep injured area immobile

#### Severe Bleeding and Wounds

- Apply direct pressure to the wound (until help arrives) using a clean cloth or hand

#### Seizures

- Keep other people out of the way
- Clear hard or sharp objects away
- Don't try to hold someone down or stop their movements
- Place the person on their side, to help keep their airway clear
- Look at your watch at the start of the seizure, so you can time its length
- Don't put anything in the person's mouth. Contrary to a popular myth, you can't swallow your tongue during a seizure, but if you put an object in their mouth, they could damage their teeth or bite you.