



WMU-COOLEY LAW SCHOOL

# CAMPUS SECURITY, SAFETY AND YOU

2016

*Annual Security Report*

**WMU-COOLEY LAW SCHOOL**  
**ANNUAL SECURITY REPORT**  
October 1, 2016

Safety is a collaborative effort. We are all responsible for the safety and security of our community. Every student at a WMU-Cooley campus deserves a safe and secure environment for the study of law. Every employee who works at a WMU-Cooley campus deserves a safe and secure workplace. As a community, we are determined to work together to keep all members of our community free from danger.

The information contained in this document is for the students, staff, faculty and administration at all WMU-Cooley Law School campuses. It is our expectation that the entire community will assist to make WMU-Cooley Law School as safe and secure as possible.

This annual report is prepared by the Operations Division in cooperation with the Planning, Assessment, & Accreditation Department and local law enforcement agencies surrounding each campus. It is issued in compliance with the Clery Act and the Higher Education Act. This report is prepared annually and a notice of its availability is distributed to all students, faculty, and staff.

This report can be found on the WMU-Cooley website at [www.cooley.edu/about/\\_docs/Crime\\_Report.pdf](http://www.cooley.edu/about/_docs/Crime_Report.pdf) . Copies are available upon request from the Director of Safety and Environmental Services, 300 S. Capitol Ave., Lansing, MI 48933.

## **I. Reporting Criminal Action and Emergencies Occurring on Law School Property**

### **A. Scope of Report**

For the time period covered by this report, WMU-Cooley Law School operated four separate campuses, one each in the Michigan cities of Auburn Hills, Grand Rapids, and Lansing; and our fourth separate campus in Florida in the Tampa Bay area.

This report covers WMU-Cooley's campuses in Auburn Hills, Michigan at 2630 Featherstone Road, Auburn Hills, MI 48326; in Grand Rapids, Michigan at 111 Commerce Avenue Southwest, Grand Rapids, MI 49503; in Lansing, Michigan at 300 South Capitol Avenue, Lansing, MI 48933; and in the Tampa Bay area at 9445 Camden Field Parkway, Riverview, FL 33578. It

also covers the Lansing, MI properties at 217 South Capitol Avenue, 301 South Capitol Avenue, 313-327 South Capitol Avenue, 316-327 South Washington Square, and 330 South Washington Square. Our policies apply to all WMU-Cooley Law School campuses.

Parking ramps are covered by this report. The Lansing city-owned South Capitol Parking ramp and the Capitol & Washtenaw parking lot owned by Tower Parking adjacent to the Lansing Campus; as well as the Grand Rapids city-owned Cherry Commerce parking ramp adjacent to the Grand Rapids campus are included in this report.

## B. Definitions

In this section, as well as throughout the report, the terms WMU-Cooley or Law School “**property**,” “**premises**,” or “**facilities**” refer interchangeably to any building or property that WMU-Cooley owns or controls (for example, by leasing a building or property from a third party) and which are used by WMU-Cooley in direct support of, or in a manner related to, WMU-Cooley’s educational purposes. The terms include any other building or property that is within or reasonably contiguous to buildings or property that WMU-Cooley owns (even if controlled by a third party), that is frequently used by students, and that supports WMU-Cooley’s institutional purposes.

These terms also include all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within, or immediately adjacent to and accessible from, any property or facilities that WMU-Cooley owns or controls.

## C. Reporting Procedure

Any life-threatening emergency is to be reported to local authorities by dialing 911. All students, faculty and staff are required to immediately report criminal actions or other emergencies which occur on Law School property to the Building Access Control Officer or WMU-Cooley Law School personnel. A school official will complete the appropriate incident report form to be delivered to the Director of Safety and Environmental Services and others as appropriate. Information concerning victims of a crime or bystanders reporting crimes will generally be kept confidential. *See the policy on confidentiality on page 25.* You may also speak to Campus Associate Deans, Campus Assistant Deans, the VP of Operations & Finance, or the Associate Dean of Students & Professionalism. Contact information can be retrieved through our directory or by contacting the

switchboard operator. Criminal information will be documented through Access Control.

#### D. Response to Reports of Criminal Action and/or Emergencies

##### 1. *Timely Warning.*

In the event a situation arises that in the judgment of the General Counsel, the VP of Operations & Finance or Campus Dean (or his/her designee) constitutes a serious or ongoing threat, a campus wide "timely warning" will be issued. The warning will be issued through WMU-Cooley's Blackboard Connect system. The warning may also be posted on the portal home page.

##### 2. *Emergency Response.*

The Law School responds to reports of significant emergencies or dangerous situations involving an immediate threat to the health or safety of students or employees occurring on the campus, as we deem appropriate under the circumstances. In the interests of protecting your safety, we have established a set of Emergency Procedures to use if an emergency arises. The procedures present a systematic approach for managing and responding to various types of emergencies that can threaten the health and safety of members of our community.

The VP of Operations & Finance or her designee is responsible for directing the Law School's efforts in response to an emergency. The Emergency Procedures identify other individuals responsible for providing emergency response and critical support services, and it describes their respective roles and responsibilities. Our Emergency Procedures are found on the Emergency Procedures page of the Portal under *Policies/Emergency Procedures*.

##### 3. *Notifications of a Closing, an Emergency or a Disaster.*

Our Emergency Procedures describe the process WMU-Cooley uses to confirm and report an emergency event. The VP of Operations & Finance, members of the Operations Division, and Access Control Officers located at the entrances of buildings assess the danger and potential threat the event may pose to the safety of the campus community and determine the appropriate course of action in light of the specific circumstances. If an emergency occurs that warrants notification, the VP of Operations & Finance determines the content of the notification and initiates the notification system, unless she determines that the notification will

compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

WMU-Cooley has a variety of methods to provide emergency, disaster, and weather closing information to students, employees, and the public.

### Local Media

The Associate Deans of the various campuses coordinate notifications to major radio and television stations and other media outlets as warranted in the event of campus closings, emergencies, or disasters.

Because circumstances may be unique to each campus, WMU-Cooley students and employees should monitor the following stations:

#### **Auburn Hills:**

- WJBK-TV FOX 2
- WDIV-TV Channel 4
- WXYZ-TV Channel 7
- WJR AM 760
- WWJ AM 950

#### **Grand Rapids:**

- WOOD-TV 8
- WZZM-TV 13
- WWMT-TV 3

#### **Lansing:**

- WILX-TV 10
- FOX-TV 47

#### **Tampa Bay**

- WTSP TV
- WTVT TV
- WFLA TV & web
- WHNZ Radio
- WGUL

### Telephone from WMU-Cooley to Internal Voice Mailboxes

A system-wide message may be placed to the telephone voice mailbox of all WMU-Cooley telephone extensions in appropriate circumstances.

### Telephone to WMU-Cooley: The Auto-Attendant

The following telephone numbers may provide a pre-recorded message about weather closings, emergencies or disasters on campus:

- Auburn Hills: (248) 751-7800
- Grand Rapids: (616) 301-6800
- Lansing: (517) 371-5140
- Tampa: (813) 419-5100

### Warning Sirens

The National Weather Service warning sirens located in the communities surrounding WMU-Cooley's campuses will sound in the event of a tornado warning. The sirens are tested on the first Friday or Saturday of most months, at noon or 1:00 pm, depending upon the community.

### Building Evacuation Alarms

WMU-Cooley's buildings have an evacuation alarm, as well as a voice PA system by which instructions can be given by Building Operations and Access Control.

### WMU-Cooley Web Site and Portal

The Office of External Affairs may post to the public website ([www.cooley.edu](http://www.cooley.edu)) and to the internal portal for students and employees ([portal.cooley.edu](http://portal.cooley.edu)) pertinent information and instructions in the event of a closing, emergency, or disaster.

### E-mail Transmission

A mass e-mail may be sent to the Cooley campus community with pertinent closing, emergency, or disaster information or instructions.

### Text Notification System

WMU-Cooley has a third-party notification system, BlackBoard Connect, to send a mass text notification to students and staff.

### Emergency Response and Evacuation Testing Procedures

WMU-Cooley's Emergency Procedures designate responsibility for responding to and reporting an emergency. Cooley has a plan for evacuation or sheltering, as the case may be, and for notifying and assisting public service personnel (police, fire, etc.) if an emergency occurs. Designated members of WMU-Cooley's Operations Department and its Access Control Officers have training on how to implement the evacuation and sheltering plans.

Evacuation and sheltering drills are conducted routinely, typically without prior notice to students, faculty, and staff. All persons inside WMU-Cooley buildings are expected to comply with alarms sounded during drills.

Certain Cooley employees and Access Control Officers are assigned specific duties to make sure floors are cleared, the locations of persons with disabilities are noted, and other similar duties.

WMU-Cooley maintains records of drills, documenting the date, time, and description of the drill, as well as whether it was announced or unannounced. These records are available by request to the Office of the General Counsel.

#### 4. *Evacuation and Sheltering Procedures*

Evacuation and sheltering procedures for students, employees, and guests are set forth below.

##### Tornado / Severe Weather Alarm

When a Severe Weather Warning alarm sounds, take the following precautions:

- Do not attempt to exit the building
- Evacuate to the nearest designated shelter area
- Avoid areas with windows and doors that lead directly to the outside
- If possible, assist people with mobility difficulty
- Do not use elevators in an emergency

##### Fire Alarm

When a fire alarm sounds, take the following precautions:

- Exit the building promptly and in an orderly manner by using the stairways only
- Once outside the building, move away from building
- If possible, assist people with mobility difficulty to a fire safe stairwell (not applicable in Tampa)
- Report the location of the individual to the Access Control
- Do not use elevators in an emergency (not applicable in Tampa)

##### Hurricane (Tampa Campus Only)

When the National Weather Service issues a hurricane watch or warning, take the following precautions:

- At least 48 hours before landfall, secure all valuables and important items
- If the local authorities do not require an evacuation, prepare for possible flooding and wind damage. Avoid areas with windows and doors that lead directly to the outside
- If the local authorities do require an evacuation, leave area following designated state routes
- Notify Access Control of any problems

## II. Law School Facilities: Security and Access

### A. Security and Access Policies

The Law School generally attempts to limit access to Law School facilities to students, faculty, staff and other people who have a legitimate business or educational purpose for being on the premises. Law School staff or Building Access Control Officers monitor the front entrance of all school-controlled buildings that are used by students. Guests of the law school are asked to register at the Access Control Desk. Doors not staffed by Access Control are locked 24 hours a day. Persons entering through these doors must have a prox card with appropriate rights to enter. The Law School reserves the right to refuse access to persons acting in a disorderly or disruptive fashion and to request such persons leave the premises. If necessary, Building Access Control Officers or Law School staff will contact local law enforcement authorities to remove unauthorized persons from Law School property or take other appropriate action.

Due to the large number of people entering or leaving our buildings at certain times (such as just before or after classes); it is not always possible to ensure that everyone in the buildings satisfies our access criteria. In light of this fact and our urban environments, the Law School expects that you will take appropriate precautions to help ensure your personal safety and the safety of others. Each person is responsible for their personal property.

### B. Maintenance Considerations

The Law School maintains its facilities with your safety in mind. Our preventative maintenance programs and regular inspection of facilities promote properly maintained buildings and grounds. Our building and grounds are well lit and contain security cameras throughout.

### C. Changes in Policies or Procedures

The Law School reserves the right to change our security and safety policies at any time, with or without notice, at our discretion. Neither this report nor any other communication from Law School personnel, written or oral, is intended to create contractual rights to any security or safety policy or procedure or to security matters generally.



### III. Safety and Law Enforcement on School Premises

#### A. Access Control Officer

The Access Control Officer monitors access to WMU-Cooley buildings used by students. They document emergencies and report incidents to the Director of Safety and Environmental Services. While Access Control staff generally may not leave their stations unless properly relieved, they will contact the appropriate officials and other employees for assistance in, and investigation of emergencies.

#### B. Enforcement Authorities and Liaison with Local Police Agencies

Law School employees or Building Access Control Officers do not carry weapons and cannot make arrests or physically remove trespassers from Law School premises. The local police will be contacted if circumstances warrant an arrest or other law enforcement intervention.

#### C. Weapons

You may not possess a weapon while on Law School property, including buildings and School-owned grounds and parking lots. This prohibition does not apply to law enforcement officers while on official police business at the School. Anyone seeking an exception to this policy by virtue of being required by law to possess a weapon while not on official police business must obtain the prior approval of the campus Assistant Dean upon a written application demonstrating why the weapon cannot be left off premises. The weapons policy can be found in section 8.02(b) of the Student Policy Manual on the Portal under *Policies*.

#### D. Required Reporting of Criminal or Threatening Behavior

All students, faculty, and staff are required to report any crimes that occur on Law School premises promptly and accurately to an Access Control Officer or law school staff. This requirement can be found in section 8.02(c) of the Student Policy Manual on the Portal under *Policies*.

You may also report any criminal or threatening behavior to [conduct@cooley.edu](mailto:conduct@cooley.edu). The [conduct@cooley.edu](mailto:conduct@cooley.edu) email account was originally established for reporting school related unethical conduct that reasonably appears to violate the Honor Code, and is still used for that

purpose as well. WMU-Cooley's Honor Code and Disciplinary Procedures are available on the Portal under *Policies*.

The confidentiality of the report is explained in detail below, at page 25. The Law School employs neither pastoral nor professional counselors. We may make referrals to counseling resources near each campus, but we do not attempt to monitor or control the substance of outside counseling. Inside the school, an assistant dean of each campus is available to provide general counseling to students. In those counseling sessions, should we glean information suggesting a crime may have been committed, we would refer the student to the police or other appropriate agency and encourage them to make a report.

#### **IV. Information Programs**

The Law School informs students, faculty and staff by written report at least yearly about security procedures and practices on Law School premises. A live presentation is given three times per year, during each new student orientation session, to the incoming class. The assistant dean at each campus presents, "Safety and Security on Campus – See Something, Say Something", and an accompanying handout is given to students identifying law school and community resources. Presentation topics include: Violence Against Women Act, WMU-Cooley Sexual Assault and Harassment Policy, notification requirements related to the Clery Act, the law school's emergency notification system, and alcohol and other drug information. Newly hired employees also receive the Campus Resource Guide for Sexual Misconduct and Safety.

These programs and reports are designed to encourage you to be responsible for your own security and that of all members of the WMU-Cooley Law School community.

## V. Criminal Offenses

### A. On-Campus or Contiguous Public Property

#### **AUBURN HILLS CAMPUS**

##### **WMU-Cooley Law School: Crime Statistics for the Auburn Hills Campus**

| Reportable Crimes        | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|--------------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                          | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Murder                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Negligent Manslaughter   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Forcible Sex Offense     | 0                  | N/A  | N/A  | N/A                 | N/A  | N/A  | 0               | N/A  | N/A  | 0     |
| Rape                     | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |
| Fondling                 | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |
| Non-Forcible Sex Offence | 0                  | N/A  | N/A  | N/A                 | N/A  | N/A  | 0               | N/A  | N/A  | 0     |
| Incest                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Statutory Rape           | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Robbery                  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Aggravated Assault       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Burglary                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Motor-Vehicle Theft      | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Arson                    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

##### **WMU-Cooley Law School: Occurrences of Hate Crimes for the Auburn Hills Campus**

| Criminal Offense               | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|--------------------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                                | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Murder                         | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Rape                           | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Fondling                       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Incest                         | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Statutory Rape                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Robbery                        | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Aggravated Assault             | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Burglary                       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Motor-Vehicle Theft            | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Arson                          | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Simple Assault                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Larceny-Theft                  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Intimidation                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Destruction/Damage of Property | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

Noted Category of Bias for Crimes Listed Above (Race, Religion, Sexual Orientation, Gender, Disability, Ethnicity, and National Origin): None Applicable

##### **WMU-Cooley Law School: Occurrences of VAWA Offenses for the Auburn Hills Campus**

| Crime | On-Campus Property | Non-Campus Property | Public Property | Total |
|-------|--------------------|---------------------|-----------------|-------|
|-------|--------------------|---------------------|-----------------|-------|

|                   | 2013 | 2014 | 2015 | 2013 | 2014 | 2015 | 2013 | 2014 | 2015 |   |
|-------------------|------|------|------|------|------|------|------|------|------|---|
| Domestic Violence | N/A  | 0    | 0    | N/A  | N/A  | N/A  | N/A  | 0    | 0    | 0 |
| Dating Violence   | N/A  | 0    | 0    | N/A  | N/A  | N/A  | N/A  | 0    | 0    | 0 |
| Stalking          | N/A  | 0    | 0    | N/A  | N/A  | N/A  | N/A  | 0    | 0    | 0 |

**WMU-Cooley Law School: Arrests for the Auburn Hills Campus**

| Crime                 | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-----------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                       | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Weapons Law Violation | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Drug Law Violation    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Liquor Law Violation  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

**WMU-Cooley Law School: Disciplinary Actions for the Auburn Hills Campus**

| Crime             | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                   | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Weapons Violation | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Drug Violation    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Liquor Violation  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

**WMU-Cooley Law School - Unfounded Crimes for the Auburn Hills Campus**

There were no unfounded crimes by the local law enforcement.

**GRAND RAPIDS CAMPUS**

**WMU-Cooley Law School: Crime Statistics for the Grand Rapids Campus**

| Reportable Crimes        | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|--------------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                          | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Murder                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Negligent Manslaughter   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Forcible Sex Offense     | 0                  | N/A  | N/A  | N/A                 | N/A  | N/A  | 0               | N/A  | N/A  | 0     |
| Rape                     | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |
| Fondling                 | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 1    | 1     |
| Non-Forcible Sex Offence | 0                  | N/A  | N/A  | N/A                 | N/A  | N/A  | 0               | N/A  | N/A  | 0     |
| Incest                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Statutory Rape           | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Robbery                  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 1    | 1    | 2     |
| Aggravated Assault       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 1    | 0    | 1     |
| Burglary                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Motor-Vehicle Theft      | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Arson                    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

**WMU-Cooley Law School: Occurrences of Hate Crimes for the Grand Rapids Campus**

| Criminal Offense               | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|--------------------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                                | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Murder                         | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Rape                           | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Fondling                       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Incest                         | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Statutory Rape                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Robbery                        | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Aggravated Assault             | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Burglary                       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Motor-Vehicle Theft            | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Arson                          | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Simple Assault                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Larceny-Theft                  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Intimidation                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Destruction/Damage of Property | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

Noted Category of Bias for Crimes Listed Above (Race, Religion, Sexual Orientation, Gender, Disability, Ethnicity, and National Origin): None Applicable

**WMU-Cooley Law School: Occurrences of VAWA Offenses for the Grand Rapids Campus**

| Crime             | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                   | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Domestic Violence | N/A                | N/A  | 0    | N/A                 | N/A  | N/A  | N/A             | N/A  | 0    | 0     |
| Dating Violence   | N/A                | N/A  | 0    | N/A                 | N/A  | N/A  | N/A             | N/A  | 0    | 0     |
| Stalking          | N/A                | N/A  | 0    | N/A                 | N/A  | N/A  | N/A             | N/A  | 0    | 0     |

**WMU-Cooley Law School: Arrests for the Grand Rapids Campus**

| Crime                 | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-----------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                       | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Weapons Law Violation | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Drug Law Violation    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 1    | 1     |
| Liquor Law Violation  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 1    | 0    | 1     |

**WMU-Cooley Law School: Disciplinary Actions for the Grand Rapids Campus**

| Crime             | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                   | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Weapons Violation | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Drug Violation    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Liquor Violation  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

**WMU-Cooley Law School: Unfounded Crimes for the Grand Rapids Campus**

There were no unfounded crimes by the local law enforcement.

## LANSING CAMPUS

### WMU-Cooley Law School: Crime Statistics for the Lansing Campus

| Reportable Crimes        | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|--------------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                          | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2014 |       |
| Murder                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Negligent Manslaughter   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Forcible Sex Offense     | 0                  | N/A  | N/A  | N/A                 | N/A  | N/A  | 0               | N/A  | N/A  | 0     |
| Rape                     | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |
| Fondling                 | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |
| Non-Forcible Sex Offence | 0                  | N/A  | N/A  | N/A                 | N/A  | N/A  | 0               | N/A  | N/A  | 0     |
| Incest                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Statutory Rape           | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Robbery                  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Aggravated Assault       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Burglary                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Motor-Vehicle Theft      | 0                  | 1    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 1     |
| Arson                    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

### WMU-Cooley Law School: Occurrences of Hate Crimes for the Lansing Campus

| Criminal Offense               | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|--------------------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                                | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Murder                         | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Rape                           | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Fondling                       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Incest                         | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Statutory Rape                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Robbery                        | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Aggravated Assault             | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Burglary                       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Motor-Vehicle Theft            | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Arson                          | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Simple Assault                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Larceny-Theft                  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Intimidation                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Destruction/Damage of Property | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

Noted Category of Bias for Crimes Listed Above (Race, Religion, Sexual Orientation, Gender, Disability, Ethnicity, and National Origin): None Applicable

### WMU-Cooley Law School: Occurrences of VAWA Offenses for the Lansing Campus

| Crime | On-Campus Property | Non-Campus Property | Public Property | Total |
|-------|--------------------|---------------------|-----------------|-------|
|-------|--------------------|---------------------|-----------------|-------|

|                   | 2013 | 2014 | 2015 | 2013 | 2014 | 2015 | 2013 | 2014 | 2014 |   |
|-------------------|------|------|------|------|------|------|------|------|------|---|
| Domestic Violence | N/A  | 0    | 0    | N/A  | N/A  | N/A  | N/A  | 0    | 0    | 0 |
| Dating Violence   | N/A  | 0    | 0    | N/A  | N/A  | N/A  | N/A  | 0    | 0    | 0 |
| Stalking          | N/A  | 0    | 0    | N/A  | N/A  | N/A  | N/A  | 0    | 0    | 0 |

**WMU-Cooley Law School: Arrests for the Lansing Campus**

| Crime                 | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-----------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                       | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Weapons Law Violation | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 2    | 0    | 2     |
| Drug Law Violation    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 1    | 1     |
| Liquor Law Violation  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 2    | 1    | 3     |

**WMU-Cooley Law School: Disciplinary Actions for the Lansing Campus**

| Crime             | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                   | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Weapons Violation | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Drug Violation    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Liquor Violation  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

**WMU-Cooley Law School: Unfounded Crimes for the Lansing Campus**

There were no unfounded crimes by the local law enforcement.

**TAMPA BAY CAMPUS**

**WMU-Cooley Law School: Crime Statistics for the Tampa Bay Campus**

| Reportable Crimes        | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|--------------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                          | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Murder                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Negligent Manslaughter   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Forcible Sex Offense     | 0                  | N/A  | N/A  | N/A                 | N/A  | N/A  | 0               | N/A  | N/A  | 0     |
| Rape                     | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |
| Fondling                 | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |
| Non-Forcible Sex Offence | 0                  | N/A  | N/A  | N/A                 | N/A  | N/A  | 0               | N/A  | N/A  | 0     |
| Incest                   | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Statutory Rape           | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Robbery                  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Aggravated Assault       | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Burglary                 | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Motor-Vehicle Theft      | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Arson                    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

**WMU-Cooley Law School: Occurrences of Hate Crimes for the Tampa Bay Campus**

| Criminal Offense | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                  | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Murder           | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

|                                |   |   |   |     |     |     |   |   |   |   |
|--------------------------------|---|---|---|-----|-----|-----|---|---|---|---|
| Rape                           | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Fondling                       | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Incest                         | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Statutory Rape                 | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Robbery                        | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Aggravated Assault             | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Burglary                       | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Motor-Vehicle Theft            | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Arson                          | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Simple Assault                 | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Larceny-Theft                  | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Intimidation                   | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |
| Destruction/Damage of Property | 0 | 0 | 0 | N/A | N/A | N/A | 0 | 0 | 0 | 0 |

Noted Category of Bias for Crimes Listed Above (Race, Religion, Sexual Orientation, Gender, Disability, Ethnicity, and National Origin): None Applicable

**WMU-Cooley Law School: Occurrences of VAWA Offenses for the Tampa Bay Campus**

| Crime             | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                   | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Domestic Violence | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |
| Dating Violence   | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |
| Stalking          | N/A                | 0    | 0    | N/A                 | N/A  | N/A  | N/A             | 0    | 0    | 0     |

**WMU-Cooley Law School: Arrests for the Tampa Bay Campus**

| Crime                 | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-----------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                       | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Weapons Law Violation | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Drug Law Violation    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Liquor Law Violation  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

**WMU-Cooley Law School: Disciplinary Actions for the Tampa Bay Campus**

| Crime             | On-Campus Property |      |      | Non-Campus Property |      |      | Public Property |      |      | Total |
|-------------------|--------------------|------|------|---------------------|------|------|-----------------|------|------|-------|
|                   | 2013               | 2014 | 2015 | 2013                | 2014 | 2015 | 2013            | 2014 | 2015 |       |
| Weapons Violation | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Drug Violation    | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |
| Liquor Violation  | 0                  | 0    | 0    | N/A                 | N/A  | N/A  | 0               | 0    | 0    | 0     |

**WMU-Cooley Law School: Unfounded Crimes for the Tampa Bay Campus**

There were no unfounded crimes by the local law enforcement.

**B. Non-Campus Buildings or Property**

No student organization officially recognized by the Law School presently owns or controls any building or property. The Law School does not



presently own or control any building or property that is frequently used by students that is not otherwise on campus.

### C. Residential Facilities

The Law School does not own or control residential facilities for students.

## VI. Alcohol and Drug Policy

### A. Drug and Alcohol Use

Law School policy prohibits the illicit use, possession or sale of alcoholic beverages and the use, possession or sale of drugs on Law School property. We comply with federal, state, and local laws including those that regulate the possession, use, and sale of alcoholic beverages and controlled substances as well as the associated penalties. Such penalties, which include probation, fines, and/or imprisonment, may be imposed by judicial authorities on individuals who violate these laws, notwithstanding any penalty imposed by WMU-Cooley. The Law School prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace. All employees must abide by the terms of the Substance Abuse Prevention Policy. Employees violating such prohibition will be subject to disciplinary action, up to and including discharge. The Substance Abuse Prevention Policy can be found on the Portal under *Policies*.

### B. Drug and Alcohol Education Programs

The Law School has adopted a Substance Abuse Prevention Policy, distributed annually to students, faculty and staff, which sets forth the Law School's prohibition on the unlawful use, possession or sale of drugs and alcohol, as well as educational information on drug and alcohol abuse. Substance abuse awareness education is provided to each entering class during orientation. Our required course, Personal and Professional Responsibility, educates every law student about the dangers of substance abuse, and the incidence of substance abuse issues among attorneys. The law school also provides referral services, primarily through the Lawyers and Judges Assistance Program. Our policy may be found on the Portal under *Policies*.

## VII. HARASSMENT, SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE & STALKING PREVENTION AND RESPONSE

Title IX of the U.S. Education Amendments of 1972 provides that “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.” WMU- Cooley Law School is committed to a community that is free from sexual misconduct, violence, stalking and harassment.

Following are the Law School’s policies, a comprehensive plan addressing harassment, sexual misconduct, educational programs and our policies and procedures that address reports of harassment, sexual assault, domestic violence, dating violence, and stalking. These policies apply even if the incident occurs off-site – not on a Law School campus.

The WMU-Cooley Law School Board of Directors adopted a comprehensive policy (Board Policy 402) prohibiting sexual assault, intimate partner violence, stalking, other forms of discriminatory harassment, and retaliation for reporting such conduct. The WMU-Cooley Law School faculty unanimously ratified the policy. This policy applies to students, faculty members, and other employees, as well as visitors or vendors. For a complete copy of Board Policy 402, visit <http://www.cooley.edu/publicinformation/policy402.html>. A complete copy can also be found on the Portal pages under *Policies*.

### A. Definitions

#### 1. *Harassment.*

Our Policy prohibits any harassment of a Law School student, faculty member, or other employee. Harassment under this policy is defined as an individual who engages in conduct that creates an offensive, hostile, or intimidating employment or educational environment and that conduct is based on one or more of the following characteristics:

- gender or sexual orientation;
- age;
- race or color;
- ethnicity or nationality;
- religion, religious beliefs, or religious practices;
- disability or need for an accommodation;
- pregnancy, marital, or familial status;
- height or weight;
- veteran status; or
- any other characteristic protected by law or regulation.

#### 2. *Sexual Harassment*

The Policy defines sexual harassment as any subjectively unwelcome, severe or pervasive conduct of a sexual nature toward another person (including a person of the same gender), such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, that has either the purpose or effect of:

- Creating an objectively offensive, intimidating, or hostile educational or work environment that denies or materially restricts an individual's ability to fully enjoy and participate in the terms and conditions or benefits of education or employment; or
- Conditioning educational or employment benefits or reprisals on the individual's response to demands for sexual interaction.

Specific examples of other forms of sexual harassment are described in the Policy and include, but are not limited to:

- Unwelcome or unwanted sexual advances;
- Demeaning acts of aggression or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of an overt sexual nature;
- Oral, written, or any other form of graphic communication or distribution of materials of a sexual nature;
- Threats of reprisal against, or promises of advantage for, a person's academic standing, grade, or terms and conditions of employment conditioned on a student, faculty member, or employee's response to sexual demands or requests; or
- Any other unwelcome conduct of a sexual nature that creates a hostile, intimidating, or offensive working or educational environment.

### *3. Other Forms of Harassment*

Any form of subjectively unwelcome, severe or pervasive conduct or communication, whether physical, written, oral, or electronic, will constitute harassment that violates our Policy when the conduct or communication:

- Demeans, intimidates, or shows hostility toward an individual or group based on a person's gender or sexual orientation; race or color; age; ethnicity; nationality; religion, religious beliefs, or religious practices; height; weight; disability or need for an accommodation; pregnancy, marital or familial status; veteran status; or any other characteristic protected by law or regulation; and

- Has the purpose or effect of creating an objectively offensive, intimidating, or hostile educational or work environment that denies or materially restricts an individual's ability to fully enjoy and participate in the terms and conditions or benefits of education or employment.

#### 4. *Domestic Violence*

Uniform Crime Reporting: The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Michigan: MCL: 750.81(2)

1. The defendant assaulted or assaulted and battered the victim. The touching must have been intended by the defendant, that is, not accidental, and it must have been against the victim's will. An assault is an attempt to commit a battery or an act that would cause a reasonable person to fear or apprehend an immediate battery. At the time of an assault, the defendant must have had the ability to commit a battery, must have appeared to have the ability, or must have thought he had the ability.
2. At the time, the victim was any of the following:
  - a. The defendant's spouse.
  - b. The defendant's former spouse.
  - c. Had a child in common with the defendant.
  - d. A resident or former resident of the same household as the defendant.
  - e. A person with whom the defendant had or previously had a dating relationship. A "dating relationship" means frequent, intimate association primarily characterized by the expectation of affectional involvement. It does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context.

Florida:

Fla. Stat. 741.28 prohibits "domestic violence" -- specific offenses against a current or former spouse, cohabitant, co-parent or person similarly situated. The statute includes "any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member."

"Family or household member" is defined as:

- a. a spouse or former spouse,
- b. persons related by blood or marriage,
- c. persons who are presently residing together as if a family or who have resided together in the past as if a family, and
- d. persons who are parents of a child in common regardless of whether they have been married.

With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

## 5. *Dating Violence*

Uniform Crime Reporting: The term "dating violence" means violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship;
- (ii) The type of relationship;
- (iii) The frequency of interaction between the persons involved in the relationship.

Michigan: dating violence is included in the domestic violence law MCL 750.81 (2)(e) shown above.

Florida:

Fla. Stat. 784.046 prohibits "dating violence" -- specific violent offenses between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature."

## 6. Stalking

### Uniform Crime Reporting:

The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

### Michigan: MCL: 750.411h

a) "Course of conduct" means a pattern of conduct composed of a series of 2 or more separate noncontinuous acts evidencing a continuity of purpose.

b) "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

c) "Harassment" means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.

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

e) "Unconsented contact" means any contact with another individual that is initiated or continued without that individual's consent or in disregard of that individual's expressed desire that the contact be avoided or discontinued. Unconsented contact includes, but is not limited to, any of the following:

- i. Following or appearing within the sight of that individual.
- ii. Approaching or confronting that individual in a public place or on private property.
- iii. Appearing at that individual's workplace or residence.
- iv. Entering onto or remaining on property owned, leased, or occupied by that individual.
- v. Contacting that individual by telephone.
- vi. Sending mail or electronic communications to that individual.
- vii. Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual.

Florida:

Fla. Stat. 784.048 prohibits “willfully, maliciously and repeatedly following, harassing or cyberstalking another person.”

7. *Sexual Assault:*

Uniform Crime Reporting:

- RAPE is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Note: this definition encompasses the categories of rape, sodomy, and sexual assault with an object that are used in the UCR National Incident-Based Reporting System.

- FONDLING is non-forcible and defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- INCEST is non-forcible and defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- STATUTORY RAPE is non-forcible and defined as sexual intercourse with a person who is under the statutory age of consent.

Michigan:

Sexual Assault in Michigan falls within the Criminal Sexual Conduct (CSC) statute. MCL 750.520. Under Michigan law, there are four degrees of CSC and they cover a range of sexual contact and levels of force or intimidation.

Florida:

Sexual Assault is the commission of an unwanted sexual act. It includes non-consensual sexual contact: the deliberate touching of a person’s intimate parts without consent, and non-consensual sexual intercourse. Under Florida law, rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling, and threat of sexual assault are crimes. Fla. Stat. 784.011(assault), 784.046(c) (sexual violence) 794.011 (sexual battery).

## 8. Consent.

### Michigan:

Consent is only a defense when force is an element of the offense. Under the Michigan Jury Instructions, "A person consents to a sexual act by agreeing to it freely and willingly, without being forced or coerced. It is not necessary to show that [name complainant] resisted the defendant to prove that this crime was committed. Nor is it necessary to show that [the accuser] did anything to lessen the danger to herself." Mich. CJ2d 20.27(1)-(2)

### Florida:

Consent " means intelligent, knowing, and voluntary consent and does not include coerced submission. 'Consent' shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender." Florida Sexual Violence Benchbook, page 16.

## B. What to do if you see or hear something as an "active bystander."

If you see something, say something. Bystanders play a critical role in the prevention of sexual and intimate partner violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander.

Always remember that if you or someone you see or hear is in immediate danger, call 911. Be careful when interceding in a potentially violent situation – call for help.

- If you see a friend or fellow student or employee -- or someone who looks like they could be in trouble or need help, ask if they are okay.
- Speak up when you see or hear someone becoming physically involved with someone who is incapacitated.
- Speak up if someone discusses plans to take sexual or physical advantage of another person.
- Believe it when someone discloses a sexual assault, abusive behavior, or experience with stalking and encourage him or her to get help.
- Refer people for help and support in health, counseling, or legal assistance – including reporting to Law School faculty, staff or administration.



C. What to do if you are a victim of harassment, sexual assault, domestic violence, dating violence or stalking.

1. *Get medical attention, if needed.*
2. *Report to law enforcement.* Call 911 for help in matters of bodily injury or damage to property.
3. *Preserve the evidence.*

Whether you decide to immediately report or if you choose to wait to make your decision – preserve the evidence. You may choose not to prosecute, but you may want a protection order to keep the perpetrator away from you, or another type of restraining order. *Your ability to secure a court order increases with evidence.*

Victims of sexual assault should not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that biological evidence may be preserved. If property was damaged or broken, or if clothing was ripped or damaged – keep these items. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, and other communications. Take pictures of injuries or damage to property, or anything that might document what happened. Write on a calendar, keep a journal or a log to document what is happening or what already happened. Keep these documents or any other relevant documents.

4. *Report to WMU-Cooley for help and assistance.*  
The Law School's policies on reporting and confidentiality are spelled out in the next section. All members of the community are strongly encouraged to report to law enforcement and to the Law School. *It is your choice* whether or not to make such a report and victims have the right to decline involvement with the police. The law school will assist any victim or witness with notifying local police if desired.

Reporting to your campus Assistant Dean will provide you with needed resources. These could include such things as referrals for medical help, counseling, legal assistance, visa and immigration assistance, and victim advocacy. The campus Assistant Dean will help to develop a safety plan to reduce risk of harm while on campus, or when coming and going from campus. This plan may include, but is not limited to: special parking arrangements,

changing classroom location, supervisors, or work location as the situation may require.

5. *Consider a Protection Order*

Protection Orders are civil, not criminal proceedings and are designed to keep the petitioner safe and restrict contact from the respondent. Most offices that help petitioners file for protection have additional resources to provide assistance, and referrals to other sources of help in your community. WMU-Cooley Law School complies with Michigan and Florida law in recognizing orders of protection and any person who obtains an order of protection from any state within the United States or a military protection order should provide a copy to the campus Assistant Dean.

- Personal Protection Orders (PPO) are available in Michigan as a response to a threat of or an incident of domestic violence, dating violence or sexual violence. MCL 600.2950. Every county courthouse in the county where a Michigan campus is located has a PPO office to assist petitioners.
- Protection Orders/Injunctions are available in Florida for victims of domestic violence, dating violence or sexual violence. Fla. Stat. 784.048. For Tampa campus students, Are You Safe is an agency in Tampa that will assist petitioners with securing a Protection Order or Injunction.

D. Reporting Policies and Confidentiality.

Students, faculty and staff are required to immediately report criminal actions or other emergencies which occur on Law School property to the Building Access Control Officer or to Law School personnel. Students, faculty, staff and visitors are encouraged to report all other crimes and suspicious situations in a timely manner. Any situation that could impact the safety of the WMU-Cooley community should be reported.

1. *Reporting Options.*

Reporting a crime. Victims of a crime and witnesses to a crime are encouraged to make a formal report of the crime to local law enforcement. While the School leaves to law enforcement the investigation and determination of suspected crimes, victims and witnesses are also encouraged to report the crime to the campus Assistant Dean, or the Associate Dean of Students and Professionalism so that the School is aware and can consider making accommodations within the School environment.

Reporting emergency situations. Students, faculty, staff and visitors who witness an emergency situation should call 911 if the situation presents an immediate threat to a person or to property. All emergency situations that occur on Law School premises should be reported to an Access Control Officer.

Reporting sexual misconduct and other forms of harassment. Board Policy 402 prohibits any sexual misconduct or other forms of harassment based upon:

- gender or sexual orientation;
- age;
- race or color;
- ethnicity or nationality;
- religion, religious beliefs, or religious practices;
- disability or need for an accommodation;
- pregnancy, marital, or familial status;
- height or weight;
- veteran status; or
- any other characteristic protected by law or regulation.

## 2. Who Do I Report To?

### *Complaints by Students*

| When this person has engaged in harassing conduct toward you, ...    | ... you should report a prompt statement of concern or complaint to:  |
|--|---|
| A Law School student   | The <b>Assistant Dean</b> of the alleged victim's campus, or to the <b>Associate Dean of Students and Professionalism</b>       |
| A Law School faculty member (including adjunct faculty)              | The <b>Campus Dean</b> of the alleged victim's campus   |
| A non-faculty Law School employee                                    | The <b>Campus Dean</b> of the campus where the harassment took place, or to the <b>Vice President of Operations and Finance</b> |
| A third-party on Law School premises (e.g., a visitor, vendor, etc.) | The <b>Campus Director</b> or <b>Campus Dean</b> of the alleged victim's campus   |

*Complaints by Law School Employees:*

| When this person has engaged in harassing conduct toward you, ...    | ... you should report a prompt statement of concern or complaint to:   |
|--|--|
| A Law School student   | Your <b>Supervisor</b> or the <b>Campus Dean</b> of the campus where the employee works, or to the <b>Vice President of Operations and Finance</b> |
| A Law School faculty member (including adjunct faculty)              | The <b>Campus Dean</b> of the campus where the employee works, or <b>Vice President of Operations and Finance</b>                                  |
| A non-faculty Law School employee                                    | Your <b>Supervisor</b> or the <b>Campus Dean</b> of the campus where the employee works, or to the <b>Vice President of Operations and Finance</b> |
| A third-party on Law School premises (e.g., a visitor, vendor, etc.) | The <b>Campus Director</b> or <b>Campus Dean</b> of the campus where the employee works, or to the <b>Vice President of Operations and Finance</b> |

3. *Confidentiality when Reporting to WMU-Cooley personnel.*

When receiving a report, the Law School will make every effort to preserve an individual's privacy. If the person does not wish to pursue a criminal complaint, the Law School will honor that request. The Law School's ability to keep the matter completely confidential is limited, as Title IX still requires the school to investigate the incident, and to take action in response to the complaint.

Reporting to a WMU-Cooley Law School employee may require that employee to share the information with the Title IX coordinator. Some WMU-Cooley Law School employees are "responsible employees" under Title IX, and they must report incidents (including personally identifying details ) to the Title IX Coordinators (Amy Timmer, Associate Dean of Students and Professionalism (for students), at [timmera@cooley.edu](mailto:timmera@cooley.edu); or Kathy Conklin, Vice President of Operations & Finance (for employees), at [conklink@cooley.edu](mailto:conklink@cooley.edu)). Any report of a crime within the geographic location of a WMU-Cooley campus is included in our annual crime report (without the name of the complainant). An assessment will be made for purposes of issuing a "timely warning" under the Clery Act considering whether the safety and security of WMU-Cooley community could be at risk. The Law School may have a duty to proceed with investigating or determining what occurred, even without the consent of the complainant.

Sharing the information with the Title IX coordinator does not mean that the information is shared with the Law School community. The identity of individuals and circumstances involved in a complaint will be kept confidential to the extent practical, without hindering an investigation, as required by law and Law School policy. If a victim or witness requests that their names be kept confidential, the Title IX Coordinator will consider that request as part of the decision making process. Please note that the School's Honor Code and Disciplinary Procedures require reporting students to sign a request for investigation that will be shared with suspected victims and violators.

The [conduct@cooley.edu](mailto:conduct@cooley.edu) email account has been established for reporting any harassment, sexual assault, domestic violence, dating violence, stalking, and school related unethical conduct that appears to violate school policies. The email is a report to the Title IX Coordinators. The email address of the reporting person is collected – this is not an anonymous report.

#### *4. Retaliation Against a Reporting Person is Prohibited.*

Board Policy 402 strictly prohibits any person from retaliating against another person who either: (1) reports a concern or files a complaint under this Policy based on an honest, good faith perception of the events at issue; or (2) participates or otherwise cooperates in the Law School's investigation of any harassment complaint.

Any person who believes that he or she has been subjected to retaliation should make a complaint as soon as possible under the guidelines for complaints stated above. Any person who engages in any form of retaliation that violates Board Policy 402 will be subject to discipline, including dismissal from employment or from enrollment with the law school.

#### E. Disciplinary Process

The Law School provides regular training on written procedures for reporting, investigating, and promptly resolving all complaints of harassment, including sexual harassment. The Law School will consider all information and evidence relevant to the complaint, including any provided by the complaining party, the alleged harasser, and other witnesses (if any, including those identified by the complaining party and alleged harasser). The Law School will determine whether sexual or other harassment that violates this Policy has occurred based on a preponderance of the evidence. For complete details on the disciplinary

process from reporting, through investigation, the charging process, the decision process and discipline and sanctions, visit <http://www.cooley.edu/publicinformation/policy402.html>. A complete copy can also be found on the Portal pages under *Policies*.

The Law School may consider aggravating, mitigating, or other extenuating or situational circumstances to decide how to resolve a complaint and, if necessary, impose appropriate remedies or discipline. The Law School may take interim measures before concluding its investigation to protect a complainant from on-going harassment or retaliatory conduct related to the complaint or investigation.

Although the scope and timeframe of the Law School's investigation will vary from case to case, and is established by specific policies, in all cases the Law School will try to complete its investigation of any complaint within sixty (60) calendar days of when the Law School receives the complaint.

As soon as possible after completing its investigation, and subject to FERPA (the Family Educational Rights and Privacy Act) and other applicable School policies, the Law School will provide written notice to both the complaining party and accused harasser of the outcome of its investigation. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. In all cases, the Law School's goal will be to prevent harassment from recurring and to correct any discriminatory effects of the harassment on the complaining party and others.

If, after investigating, the Law School determines that an individual has harassed a student, faculty member, or other employee, the Law School will take prompt and effective corrective action to ensure the harassment stops and does not recur. These actions may include:

- Discipline, up to and including dismissal from employment (for Policy violations by a faculty member or other employee);
- Discipline, including dismissal from enrollment (for Policy violations by a student); or
- Removal from Law School facilities (for Policy violations by a visitor, vendor, or other third party).

#### F. Sexual Offender Registration.

The Campus Sex Crimes Prevention Act (CSPCA) of 2000 is a federal law that requires institutions of higher education to advise the campus community where law enforcement agency information concerning registered sex offenders may be obtained. Sex offenders are required to register, in order to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

Michigan's Sex Offenders Registration Act of 1994 was amended by Public Act 542 of 2002 to require that sex offenders provide information to local law enforcement if the offender is working, volunteering or attending an institution of higher learning. The information contained in the Michigan State Police Public Sex Offender Registry (PSOR) is obtained by local law enforcement agencies when sex offenders register with those local agencies. The PSOR is online at <http://www.mipsor.state.mi.us/>. It provides the name, address, date of birth, and other information on registered offenders. One can search by zip code or by offender's name as well as other search options. For questions or concerns regarding the PSOR, contact the Michigan State Police, Investigative Resources Section, Violent Crimes Unit, 2911 Eyde Parkway, Suite 130, East Lansing, MI. 48824, (517) 336-6292 or email [psors@state.mi.us](mailto:psors@state.mi.us).

The Florida Department of Law Enforcement's Florida Sexual Offenders and Predators toll free number is: 1.888.357.7332 and the relevant web site address for obtaining this information in Florida is: <http://offender.fdle.state.fl.us/offender/homepage.do>

#### G. Educational Programming and Awareness.

The Law School informs students, faculty and staff by written report at least yearly about security procedures and practices on Law School premises.

Three times per year, during each new student orientation session, a live presentation is given to the incoming class. The assistant dean at each campus presents, "Safety and Security on Campus – See Something, Say Something." An accompanying handout is given to students identifying law school and community resources. Those resources are also posted on the School's internal web page, the portal. Presentation topics include: Domestic violence, dating violence, stalking, sexual assault and harassment, WMU-Cooley's policy and procedures when such allegations are made, the WMU-Cooley Sexual Assault and Harassment Policy and

procedures, notification requirements related to the Clery Act, the law school's emergency notification system, school policies prohibiting weapons on campus and substance abuse information and policies.

Newly hired employees also receive the School's Campus Resource Guide for Sexual Misconduct and Safety.

Students discuss the legal aspects of rape, acquaintance rape, and other forcible and non-forcible sex offenses in Criminal Law, a required course for all WMU-Cooley Law School students. Additional electives include classes entitled "Family Violence" and "Defending Battered Women." The topics are further studied and explored in three of the WMU-Cooley clinics: the Family Law Assistance Project, the Innocence Project and the two Public Defender clinics. Special attention is placed on working with victims of these crimes in the Family Violence and Defending Battered Women classes and in the clinics.