

Kirtland Community College



Annual Security Report

2021

Clery Act Annual Security Report

Each year the Kirtland Community College Public Safety Department prepares an Annual Security Report of crime statistics, for each of the three most recent years of crimes, that were committed on our campuses, in or on a non-campus building or property, or on public property within or immediately adjacent to and accessible from the campus. This report is compiled from all of the incidents reported to the college by any one of the following sources: Victims, witnesses, third party, perpetrator, and local law enforcement agencies.

This report includes policies, procedures, programs, and statistics on criminal murder; non negligent and negligent manslaughter; forcible and non-forcible sex offenses; robbery; aggravated assault; burglary; motor vehicle theft; arson; hate crimes; as well as arrests and disciplinary referrals for illegal weapons possession and drug or liquor law violations. This annual statement will be collected, reported and disseminated to the campus community as well as to the U.S. Department of Education.

The Annual Security Report will be retained by the Public Safety Department for a period of three years following publication of the last report.

The Annual Security Report will be made available online each year by October 1st at <https://www.kirtland.edu/public-safety>.

Each year, an email notification will be sent to all enrolled students and employees of Kirtland College via the provided email account announcing publication of the Annual Security Report and provide the web site URL to access this information.

In addition, under the student's right to know disclosure, Kirtland's Student Services Department will mail notification announcing publication of the report to all enrolled students, provide the web site, and the opportunity to request a paper copy.

Prospective students and prospective employees will be provided with a notice containing a statement of the report's availability and a description of its contents, the exact address of the internet site at which the report is posted, and the opportunity to request a paper copy. Additionally, any person interviewed as a result of an advertisement shall be provided a notice of the availability of the Annual Security Report.

Anyone may obtain a paper copy of the Annual Security Report through the Public Safety Department office or by calling 989 275-5000 extension 322. There is no fee charged for this report.

This Annual Security Report is in compliance with the Jeanne Clery Act and is prepared in cooperation with the Kirtland Public Safety authorities, Crawford County Sheriff's Office, Ogemaw County Sheriff's Office, Roscommon County Sheriff's Office, Otsego County Sheriff's Office, Michigan State Police, students, employees, witnesses and third party information.

Kirtland Community College

4800 W. Four Mile Rd, Grayling, MI 49738



POL 2.220 EMERGENCY PROCEDURES

The safety and well-being of Kirtland Community College students, faculty, staff and visitors is of primary importance to the college. The president shall direct appropriate staff to prepare and maintain emergency procedures for the protection of life and health in accordance with law and board policy

August 11, 1983

Revised September 18, 2008

Revised October 15, 2009

PRO 2.200 EMERGENCY PROCEDURES

I. Reporting of crimes and other life-threatening emergencies

A. Timely Warning

In the event that a situation arises on or off any Kirtland facility that, in the judgment of the Director of Public Safety or the Public Safety Officer in charge, constitutes a serious or continuing threat, a "timely warning" will be issued to the college community. The warning will be issued through the most efficacious means currently available, including as appropriate but not limited to e-mail, siren, or other warning systems, backed up and replicated by such other means (telephone, direct verbal) as may be necessary to alert and inform students, faculty, staff and visitors. The timely warning shall include information that promotes safety, allows individuals to take appropriate steps for self-protection, and in the event of a criminal act, identifies the time, location, and alleged type of crime.

B. Disclosure of Crime Statistics

The Kirtland Department of Public Safety tracks and reports annual crime statistics in accordance with the Federal Clery Act and such other federal, state, and board mandates as are applicable. The full text of the annual security report is made available in electronic format readily accessible to interested current and prospective students and employees. A paper copy shall be made available upon request at no charge. Annual notification of where to find this report shall be made to

all enrolled students and current employees. All prospective employees shall be notified via the medium in which they submit their application for employment, as part of the acknowledgment of receipt of their application.

C. Reporting of Criminal Offenses

Criminal offenses at any Kirtland College facility are to be reported to the Kirtland Department of Public Safety at 989-275-5000 **ext. 355**, or in person at the Public Safety Office, Grayling or Roscommon Campus, or by email to **policedepartment@kirtland.edu**. Students and visitors at any Kirtland campus may report a crime to any staff member, who shall promptly relay the information to the Kirtland Department of Public Safety. Individuals may also file the college's Behavioral Intervention Team (BIT) Form available at **<https://www.kirtland.edu/bit>**

The college urges any individual to report, in a timely manner, any act which results, or threatens to result, in harm to a person or damage to property.

Individuals who are victims of a crime yet do not wish to pursue action may speak confidentially to the college's licensed counseling staff, with the understanding that threats of violence must be reported, and acted upon by the appropriate authorities. Counseling offices are located in Office 1109, of the Grayling campus, 989-275-5000, ext. 440. As above, individuals may file the college's BIT Form at **<https://www.kirtland.edu/bit>**

II. Security of and Access to Campus Facilities

During normal business hours, the public areas of college facilities will be open and accessible to students, faculty, staff, and visitors. Non-public and restricted areas shall be accessible by keys issued to authorized individuals only. When the college is closed, access shall be by keys issued to authorized individuals only. Emergencies may necessitate changes or alterations to any posted schedules. Buildings may be secured in the event of lockdown or evacuation, and restricted to authorized personnel only.

III. Campus Law Enforcement Authority

Per authorization of the Board of Trustees on December 12, 2002, certified officers of the Kirtland Community College Department of Public

Safety have all the powers and authority of a law enforcement officer. Under the laws of the state of Michigan, this includes the complete authority to apprehend and arrest anyone involved in illegal acts on any Kirtland campus, and areas immediately adjacent to any Kirtland campus, operating under the authority of the college board of trustees, as well as in conjunction with other law enforcement authorities. Offenses in violation of Kirtland policies and rules will be referred under the code of student conduct or the college disciplinary procedure to the appropriate college authorities.

College Public Safety personnel work closely with local, state, and federal law enforcement agencies, and have direct radio contact with county central dispatches. Violations of state and federal laws are reported to collaborating law enforcement agencies, and joint investigations may be undertaken. The prosecution of all serious crimes is referred to the appropriate court venue, and may also be addressed under the code of student conduct or the college disciplinary procedure.

By mutual agreement with state and federal agencies, and as provided by law, the Kirtland Department of Public Safety maintains access to the National Crime Information Computer System as well as the Michigan Law Enforcement Information Network, for the purpose of accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

IV. Security Awareness Programs

Information is disseminated to students and employees through crime prevention awareness brochures, security alert posters, notices posted on the college website, and seminars and training sessions on campus safety procedures.

When time is of the essence, information shall be disseminated to students, employees, and guests via campus e-mail, the phone system, employee radios, the college website, and if necessary by oral messages related by designated college staff.

V. Crime Prevention Programs

Crime prevention programs on personal safety shall be offered to students, faculty, staff and guests at conveniently accessible times throughout the year.

VI. Drug and Alcohol Policy

It is the policy of the board of trustees of Kirtland Community College to maintain drug-free workplace for all employees. It is further the policy of the board of trustees of Kirtland Community college to prohibit the unlawful manufacture, sale, possession, use, distribution or being under the influence of any illicit substance by all employees, or any other individual, on college premises or as part of any college business, activity, or function. College policies are located on the college website at <https://www.kirtland.edu/policies-and-procedures> and in the Code of Student Conduct at: <https://www.kirtland.edu/policies-and-procedures/student-services-policies/pol-6-125-rights-and-responsibilities-of-students>. Paper copies may be obtained from student services or the college business office.

Confidential alcohol and substance abuse counseling and referrals are available for students and employees in the office of student services in Office 1109, or call 989-275-5000, ext. 440, for an appointment.

VII. **Sexual Offense**

A sexual offense is any sexual act directed against another person, forcibly and/or against that person's will, or a sexual act in which the victim is incapable of giving consent, or is otherwise contrary to law. The Kirtland Department of Public Safety shall offer periodic sexual assault information and education programs to students and employees, and upon request at a reasonable time and place. Information on date rape education, risk reduction, and the college's response to an offense is available from student services and shall be maintained on the college website.

Should a sexual offense take place, the victim is advised to:

- Get to a place of safety
- If on the Roscommon or Grayling campus, dial 355; otherwise dial 911
- Obtain necessary medical treatment

The college strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. Filing a police report shall not subject the victim to scrutiny or judgmental opinions from college officials. Filing a report ensures that: 1) a victim of sexual assault on college property or at any college function shall receive the necessary medical attention and tests, at no expense to the victim; 2) there is an opportunity for collection

of evidence helpful in prosecution (victims are requested to not wash, douche, use the toilet, or change clothing prior to a medical exam), and; 3) assure the victim has access to confidential professional counseling at no charge. College personnel shall assist the victim in notifying the authorities, if the victim so requests.

Professional counseling services are available in Office 1109, at the Grayling campus, or call 989-275-5000, ext. 440, for an appointment. Information on off-campus counseling is available from this same office.

College disciplinary proceedings applicable to students are detailed in the Code of Student Conduct, available from Student Services and on the college website at <https://www.kirtland.edu/policies-and-procedures/student-services-policies/pol-6-125-rights-and-responsibilities-of-students>, and for employees under the board policy at <https://www.kirtland.edu/policies-and-procedures/personnel-policies/pol-5-055-discipline>. Procedures for disciplinary action in cases of an alleged sex offense include in part that:

- A. The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
- B. Both the accuser and the accused must be informed of the outcome of any disciplinary proceeding that is brought alleging a sexual offense. Compliance with this section does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA). For the purpose of this section, the outcome of a disciplinary proceeding involving a student means only the institution's final determination with respect to the alleged sexual offense and any sanction that is imposed against the accused.

Per federal law, disclosure concerning the outcome of the proceedings is unconditional; a victim cannot be required to sign a nondisclosure agreement or to otherwise agree to a prohibition from discussing the case.

A student found responsible for sexual misconduct will be subject to the measures stipulated in the code of student conduct depending upon the severity of misconduct up to and including expulsion, and may be subject to criminal proceedings in state court.

An employee of the college found responsible for sexual misconduct will

be subject to the measures stipulated in the college's disciplinary policy depending upon the severity of misconduct up to and including termination of employment, and may be subject to criminal proceedings in state court.

Remedies and protective measures for alleged victims, while providing all due consideration for the due process rights of the alleged perpetrator(s), and depending in part on the nature and severity of the alleged violation, include, but are not limited, to: prohibition of any but "business necessity" communications; prohibition of any and all communications; campus escort; physical separation, with alternative class or work space or schedules offered the alleged perpetrator; temporary suspension, administrative leave, or barring of the alleged perpetrator from college grounds and activities. The college will provide prompt assistance by the provision of contact information for trained individuals who can provide an immediate response in a crisis situation, (e.g. obtain needed resources, explain reporting options, and help navigate the reporting process), provide contact information for security personnel, law enforcement, and responsible college officials (e.g. the Title IX Coordinator), and identify health care options, ensuring the victim is aware of options for treatment of injuries, preventative treatment for sexually transmitted diseases, and preservation of evidence. The complainant will be notified of the right to file a criminal complaint. Professional counselling is available to all students and employees involved. An explanation of the college's procedures is available to all participants, and may be found online at <https://www.kirtland.edu/policies-and-procedures/personnel-procedures/pro-5-440-sexual-misconduct/>. Retaliation by any party against another is prohibited and will be investigated and addressed as a separate violation.

VIII. Sex Offender Registry

Federal law provides for the registration of convicted sex offenders, and Kirtland Community College is required to inform the campus community that a registration list of convicted sex offenders enrolled at, or employed by the college is available for review. Information concerning convicted sex offenders enrolled at, or employed by the college may be obtained from the college public safety office, located in Office 1116, at the Grayling campus, telephone 989-275-5000, ext. 355.

In addition, the Michigan Sex Offender Registry is available on-line at

<http://www.mipsor.state.mi.us>. The Campus Sex Crimes Prevention Act of 2000 (CSPCA) amends the Family Educational Rights and Privacy Act (FERPA) to clarify that nothing in FERPA can prohibit an educational institution from disclosing information provided to the institution regarding an individual's status as a convicted sex offender. However, the Michigan State Police caution that "extreme care should be exercised in using any information obtained" from these registrations lest misidentification occur, and federal law prohibits use of the information for purposes of intimidation or harassment.

This information is provided in compliance with the Federal Campus Sex Crimes Compliance act and the Michigan Sex Offenders Registration Act 295 of 1994.

IX. Daily Crime Log

Kirtland Community College maintains a Daily Crime Log at the Grayling location. This report includes all crimes and calls for assistance, not just Clery Act crimes. Information is recorded on the log when the crime is reported to the Public Safety Department regardless of how much time has passed since the crime was committed.

The Daily Crime log includes the nature of the crime, date and time reported or occurred, general location of the crime and disposition of the complaint, if known.

The Daily Crime Log for the most recent sixty-day period is kept in the Public Safety Department office at the Grayling campus. The log is available for inspection upon request during the operational hours of Kirtland Community College. Any person may ask to see the log, whether or not they are associated with the college, including the media. Requests for information from the log that are older than sixty days will be made available within two business days of the request for public inspection.

The Daily Crime Log will be retained by the Public Safety Department for three years following publication of the last report.

X. Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act amendment

The new subsection 304b of the Violence against Women Act provides as follows:

The amendments made in this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 USC. 1092(f)(1) prepared by this institution of higher education one calendar year after the date of enactment of this Act, and each subsequent calendar year.

The college's policy on Sexual Misconduct may be found on the college's website at: **<https://www.kirtland.edu/policies-and-procedures/personnel-procedures/pro-5-440-sexual-misconduct/>**.

For purposes of inquiry, in the year of 2018, Kirtland Community College recorded one domestic violence, dating violence, or stalking incidents from campus security authorities or local police agencies. In 2019 and 2020, Kirtland Community College recorded zero incidents.

XI. Annual Crime Statistics

Kirtland Community College provides an annual summary of crime statistics for the most recent three years committed on both campuses. The table below includes statistics on murder, forcible sex offenses of rape and fondling and non-forcible sex offenses of incest and statutory rape, robbery, aggravated assault, burglary, auto theft, and arson. It also includes the number of arrests for alcohol, drug, and/or weapons violations. In regards to the new Violence Against Women Act, you will see for the first time that the crimes of domestic violence, dating violence, and stalking are included with the annual statistics. Finally, the unfounded reported crimes are collected and relayed in this annual report.

In regards to crime reporting, Kirtland has no off campus organizations or public property within its jurisdiction so the crime statistics strictly relate to on campus or directly adjacent to campus.

Criminal Offenses- On campus	2018	2019	2020
a. Murder/ Non – negligent	0	0	0
b. Negligent manslaughter	0	0	0
c. Rape	0	0	0
d. Fondling	1	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft	0	0	0
k. Arson	0	0	0

Criminal offenses- Public Property	2018	2019	2020
a. Murder/ Non – negligent	0	0	0
b. Negligent manslaughter	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft	0	0	0
k. Arson	0	0	0

Hate Offenses

The following criminal offenses that manifest evidence of prejudice based on race, religion, sexual orientation, gender, disability, or ethnicity and can be classified as Hate Crimes as prescribed by the Hate Crimes Statistics Act (28 U.S.C. 534) occurred.

Hate Offenses- On- Campus	2018	2019	2020
a. Murder/ Non – negligent	0	0	0
b. Negligent manslaughter	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft	0	0	0

k. Arson	0	0	0
l. Simple assault	0	0	0
m. Larceny-theft	0	0	0
n. Intimidation	0	0	0
o. Destruction/damage/ vandalism of property	0	0	0

VAWA Offenses – On Campus

Crime	2018	2019	2020
a. Domestic violence	0	0	0
b. Dating violence	0	0	0
c. Stalking	1	0	0

VAWA Offenses – Public Property

Crime	2018	2019	2020
a. Domestic violence	0	0	0
b. Dating violence	0	0	0
c. Stalking	0	0	0

Number of Arrest- On-Campus

Crime	2018	2019	2020
a. Weapons: carrying possessing etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Number of persons referred for Disciplinary Action –On- Campus

Crime	2018	2019	2020
a. Weapons: carrying possessing etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Number of Arrest-Public Property

Crime			
a. Weapons: carrying possessing etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Number of persons referred for Disciplinary Action- Public Property

Crime	2018	2019	2020
a. Weapons: carrying, possessing etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Unfounded Crimes

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded". Only sworn or commissioned law enforcement personnel may unfound a crime.

	2018	2019	2020
a. Total unfounded crimes	0	0	1