



# CAMPUS SECURITY

## Crime Prevention, Drug-Free School Polices

### Abstract

This document details Motion Picture Institute policies, procedures and reports for student safety, crime prevention, drug-free campus and sexual harassment.

Doug Schulze

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## Table of Contents

Jeanne Clery Disclosure of Campus Security Policy and Crime Prevention Act .....	01
Crime Reporting .....	03
How to Report Crimes on Campus .....	03
Preparing the Annual Disclosure .....	04
Reportable Offenses Under the Clery Act .....	04
Geographical Area .....	05
Timely Campus Warnings or Alerts .....	05
Statement of Program Available to Students and Employees .....	07
Information on Registered Sex Offenders .....	07
Title IX Policy Statement .....	08
Discrimination .....	08
Sexual Harassment .....	08
Investigations of Complaints .....	10
Institutional Notice of Petitioner's Rights under the Violence Against Women Act ...	12
Statement of Current Policies Concerning Sexual Assault Prevention Program....	12
Definitions .....	13
Reporting Sexual Assault .....	14
How to obtain a Restraining Order .....	16
Disciplinary Procedures Following a Complaint .....	17
Warning Signs of Abusive Behavior .....	19
Help Reduce Your Risk to Avoid Potential Attacks .....	19
Sexual Assault Prevention .....	19
Important Phone Numbers .....	21
Emergency Notifications .....	22
Student Emergency Responses .....	23
Emergency Evacuation for a Fire Incident .....	25
Emergency Lockdown .....	26
Shelter In Place .....	27
Annual Fire Safety Report .....	27
Annual Test of Emergency Response and Evacuation Procedures .....	28
Crime Definitions .....	29
School Annual Security Report .....	31
Drug and Alcohol Abuse Prevention Programs .....	32
Penalties for Drug Convictions .....	33
Legal Consequences of Substance Abuse in Michigan .....	35
State of Michigan Alcohol Laws .....	36
Staying out of Trouble .....	41
How to Regain Federal Student Aid Eligibility .....	41
Convictions during Enrollment .....	42
Drug and Alcohol Counseling .....	42
Institutional Sanctions for Alcohol and Drug Violations .....	42
Description of Drug and Alcohol Abuse Prevention Programs .....	43
Biennial Review of Drug and Alcohol Abuse Prevention Programs .....	44

## **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and the Safe and Drug-Free Schools and Communities Act (DFSCA): Policies, Reporting, Warnings, Notifications, and Sanctions**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, is contained (along with other security-related disclosure requirements) in section 485 of the Higher Education Act, codified at 20 U.S.C. § 1092. It requires all postsecondary education institutions to keep records and report annually on the nature, date, time, and place of crimes occurring on campus, including hate crimes. It also prescribes a number of security-related protocols for emergency response procedures, timely notifications for on-campus crimes, etc.

For your information, a copy of Motion Picture Institute's Annual Campus Safety and Security Report (also known as our Annual Security Report, or ASR) is attached. This report is distributed in compliance with the Clery Act. Also included is a copy of information relating to Motion Picture Institute's Drug and Alcohol Abuse Prevention Programs. The ASR and Drug and Alcohol and Abuse Prevention programs information is available online at [www.mpifilm.com/consumerinformation](http://www.mpifilm.com/consumerinformation).

Motion Picture Institute's commitment to safety and security includes:

- Providing a secure and crime free environment for students, faculty and staff.
- Performing regular evaluation of security programs.
- Monitoring and following up on each crime reported at an Motion Picture Institute location.

We believe student, faculty, and staff behavior which promotes security awareness is important in all aspects of our lives and we encourage all students, faculty and staff to accept responsibility for their own security as well as the security of other members of the Motion Picture Institute community.

As you read the following report, comments, questions or concerns may be addressed to:

Motion Picture Institute  
Attention: Douglas Schulze, President, CSA  
2040 Crooks Rd, Ste. B  
Troy, Michigan 48084

### **STATEMENT OF CURRENT POLICIES REGARDING PROCEDURES FOR STUDENTS AND OTHERS TO REPORT CRIMINAL ACTIONS AND POLICES CONCERNING THE INSTITUTION'S RESPONSE TO SUCH REPORTS**

Students, faculty or staff who wish to report criminal actions, should immediately contact the designated Campus Security Authority (CSA) or other responsible supervisory personnel at their campus. The criminal action should then be immediately reported by students, faculty or staff to the local law enforcement authorities for assistance and /or investigation. In an emergency, dial 911. The Motion Picture Institute Accident/Incident Report Form is completed with the assistance of the person reporting the criminal action. The report should be filed as soon as possible with the CSA or School President who will follow up on the report personally or assign responsibility to another appropriate administrator to follow up and report on the outcome as well as any preventative or other actions taken to ensure the safety and security of all staff, faculty, and students.

Additional copies of the Motion Picture Institute's Accident / Incident Report Form may be requested from the CSA's Office.

See <https://www.mpifilm.com/safetyandsecurity/>

## **CRIME REPORTING**

Efforts are made to inform members of the campus community on a timely basis about campus crime and crime-related issues. These efforts include the following:

- Crime Alerts – Crime Alerts are published when a crime occurs on or near campus that potentially threatens the campus community. The crime alerts are distributed in a variety of methods, depending upon the incident. (See Timely Campus Warnings below.)

## **HOW TO REPORT CRIMES ON CAMPUS**

Students and employees are cautioned never to attempt to apprehend or pursue a suspected criminal. Crimes or suspected criminals should be reported to the CSA or other designated staff member, and then to local law enforcement at the non-emergency number, 248-524-3477.

In an emergency, dial 911.

Immediately report any crimes or suspicious activity on campus by:

- Calling (248) 528-1760
- Completing the Motion Picture Institute Accident/Incident Report form and submitting to the CSA.
- Stopping by the CSA's office.

If you have any doubts about whether to report something that has occurred, report it. Victims of, or witnesses to, crimes may disclose them on a voluntary, confidential basis to the CSA, which can then determine whether the event constitutes a crime that has to be collected and statistically reported. Your cooperation in timely reporting assists Motion Picture Institute in issuing equally timely warnings to the campus community. All crimes must be reported immediately.

Always use your eyes, ears, and telephone to keep campus officials advised of what you see and hear. Call the CSA's Office when you see:

- Strangers loitering in office areas, hallways, classrooms, or lounge areas, etc.
- Unsecured doors or windows in campus buildings that are supposed to be locked
- Anyone tampering with a motor vehicle or loitering in a parking lot
- Persons publicly displaying a weapon
- Persons loitering in dark or secluded areas
- Suspicious persons carrying articles, equipment, luggage, or other packages out of campus buildings

## **STATEMENT OF CURRENT POLICIES CONCERNING SECURITY AND ACCESS TO CAMPUS FACILITIES**

The security of the educational and work environment is a high priority at Motion Picture Institute. Access to the building is secured between the hours of 10:00 p.m. and 8:45 a.m. so that unauthorized individuals are not able to lawfully enter the building. During normal business hours and hours in which the building is accessible, visitors (including vendors, etc.) are required to sign in at the main campus entrance (the main lobby). Additionally, during the course of time on campus, students and staff should wear appropriate school-authorized IDs. (See the student and employee handbooks for additional information on this.)

## PREPARING THE ANNUAL DISCLOSURE

Motion Picture Institute President, serving as the Campus Security Authority (CSA) for Motion Picture Institute, has the responsibility of gathering the data used to prepare the annual campus crime statistics report. Campus crime data is gathered the same day that it is reported. The data is obtained from reports made to local law enforcement. Crimes are counted in the disclosure based upon the crime having been reported, not whether there was a conviction. Data is obtained annually from local law enforcement and compared with the data gathered at Motion Picture Institute. The resulting data is used to prepare the annual crime statistics report.

The ASR is published and distributed by October 1st of each year to current students and employees. A notice of the ASR's availability is also provided to prospective students and employees, with a notice that a paper copy is available upon request.

## REPORTABLE OFFENSES UNDER THE CLERY ACT

*The Clery Act requires reporting on the following offenses:*

- murder;
- manslaughter (negligent and non-negligent)
- sex offenses, forcible and non-forcible;
- robbery;
- aggravated assault;
- burglary;
- motor vehicle theft;
- arson;
- arrests, or persons referred for campus disciplinary action for liquor law violations;
- arrests, or persons referred for campus disciplinary action for drug-related violations;
- domestic violence\*\*
- dating violence\*\*
- sexual assault\*\*
- stalking\*\*
- arrests, or persons referred for campus disciplinary action for weapons possession, carrying, etc., and
- hate crimes, [which for Clery Act purposes include any crime listed in the preceding points and, as of 2008, larceny-theft; simple assault; intimidation; and destruction, damage, or vandalism of property in which the victim is intentionally selected because of his or her actual or perceived race, gender, religion, sexual orientation, ethnicity, national origin, or disability.]

\*\*On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA). Among other provisions, this law amended the Clery Act to require postsecondary institutions to include in their Annual Campus Security Report all instances of domestic violence, dating violence, sexual assault, and stalking; and instances of gender identity and national origin crimes which fall under the category of Hate Crimes. These new reportable items must be included in the ASR released by October 1, 2014, using a good faith effort to comply with the law until the final regulations are published with an effective date of July 1, 2015 for the October 1, 2015 ASR reporting deadline.

## **GEOGRAPHICAL AREA**

The Clery Act requires each institution to disclose crime statistics that occur on three types of property: campus, non-campus buildings or property, and public property areas.

“Campus” is defined as buildings or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in a manner related to the institution’s educational purpose. It also includes property in that contiguous area owned by the institution but controlled by another person, if that property is used by students and supports institutional purposes (e.g. a food or retail vendor). Branch campuses and geographically disconnected administrative divisions or schools would be considered separate campuses for the purposes of reporting.

“Public property” is property that is located within the same reasonably contiguous geographic areas of the campus, like a sidewalk, street or public parking lot, that is adjacent to a facility owned or controlled by the institution for purposes related to the institution’s educational purposes. Crimes occurring on “public property” must also be reported in the crime statistics.

A “non-campus building or property” is one that is owned or controlled by a school recognized student organization, or one that is owned or controlled by the institution and used by students or by the institution for education-related purposes and that is not within the same reasonably contiguous geographic area of the campus. Crimes occurring on “non-campus property” must be reported. However, incidents occurring on public property adjacent to “non-campus buildings or property” do not have to be included. Our institution does not have such property in this category for which we must report.

## **TIMELY CAMPUS WARNINGS or ALERTS**

A timely warning to the campus community is distributed regarding any of the above listed crimes (see Reportable Offenses under the Clery Act) which are deemed to represent a threat to the students and employees, and which are reported to campus officials or to local police agencies. The campus crime alert is issued in a manner that is timely and will aid in the prevention of similar crimes. The manner of dissemination to alert the campus community may include one or more of the following methods: e-mail, voice mail, and text messages. In addition, the CSA or other campus officials will post relevant warnings, updates and advisories on the appropriate school Website ([www.mpiifilm.com](http://www.mpiifilm.com)) and may also utilize campus bulletin boards, its social media Web page. Campus officials may decide to issue an alert about a crime occurring off-campus but in a location frequented by students, even though such a crime would not be included in the annual report.

## **A STATEMENT OF CURRENT POLICIES CONCERNING CAMPUS LAW ENFORCEMENT AND POLICIES THAT ENCOURAGE PROMPT REPORTING OF ALL CAMPUS CRIME TO THE CAMPUS AUTHORITIES AND LOCAL POLICE**

Motion Picture Institute is essentially a non-residential School, and does not have a campus police force. Therefore, all crimes are reported to local authorities as described in the first section regarding policies and procedures to report crimes. All crimes should be reported immediately in order to enhance the opportunity for a quick resolution.

The Motion Picture Institute Accident / Incident Report Form (referenced above) may be requested from the CSA’s office or Administration Office to assist in the description and recording of an incident of crime or emergency.

**Voluntary confidential reporting:** As Motion Picture Institute is essentially a non-residential school, and does not have a campus police force; all crimes must be reported to local authorities. Local law enforcement will allow a victim or witness to report crime on a voluntary and confidential basis. All victims are encouraged to report all crimes to the appropriate campus CSA and local law enforcement. In the event the victim is unable to make such a report, the campus CSA or third-party witness is encouraged to report the crime promptly.

In very limited circumstances, an institution may remove from its crime statistics (but not from its crime log) reports of crimes that have been determined to be “unfounded” by law enforcement officials. Motion Picture Institute will report to the Department and disclose in the annual security report statistics of the number of crimes reports that were “unfounded” and subsequently withheld from its crime statistics during each of the three most recent calendar years.

Motion Picture Institute does not have a procedure either written or verbal that encourages both pastoral and professional counselors, at their discretion, to inform those they counsel of procedures for reporting crimes voluntarily and confidentially for inclusion in the institution’s annual security report and Web-based report to ED.

Motion Picture Institute campus security personnel does not have with state law enforcement agencies and with local law enforcement agencies any written memorandum of understanding (MOU) or any other type of written agreement, such as a memorandum of agreement (MOA), with any law enforcement agencies for the investigation of alleged criminal offenses. You do not have to include a copy of your MOU in your policy statement; just disclose whether you have one.

Crime is a serious problem with no easy solutions. Therefore, all members of Motion Picture Institute campus community are encouraged to assist one another by taking responsibility for personal safety and assisting with the security needs of others. While school staff and security measures may offer assistance regarding safety and security concerns, ultimately the primary responsibility for your personal safety rests with you.

## **SAFETY TIPS**

- Stay alert of your surroundings, wherever you are.
- If you feel uncomfortable in a place, leave right away.
- Keep eyes and ears open, hands free.
- Choose busy streets and avoid going through deserted areas.
- At night, walk in well-lit areas whenever possible.
- Try not to walk or jog alone. Take a friend or walk in group.
- Avoid carrying large sums of cash.
- When in public spaces, keep valuable items including jewelry, mobile phones and wallets out of sight.
- Carry a pepper or mace spray as a precautionary measure.
- Avoid returning to campus after dark, or walk in groups to and from buildings.
- Communicate suspicious behavior immediately to a staff or faculty.

## **A STATEMENT OF PROGRAMS AVAILABLE TO STUDENTS AND EMPLOYEES RELATED TO CAMPUS SECURITY, PERSONAL SAFETY, AND CRIME PREVENTION**

Motion Picture Institute provides information on personal safety and crime prevention. Motion Picture Institute provides this information at new student and new employee orientation. During the orientation of students, faculty, and staff, procedures are also outlined to cover the reporting of all criminal acts.

Additionally, the Student Services office has a directory of services that are available, within the community, to assist those who have suffered from a criminal act. These services are usually free and are provided by organizations or agencies within the community. The office also has available resource materials that address Domestic Violence, Dating Violence, Sexual Assault and Stalking.

## **A STATEMENT ADVISING OF AVAILABILITY OF INFORMATION ON REGISTERED SEX OFFENDERS**

The federal Campus Sex Crimes Prevention Act that became effective October 27, 2002 requires eligible institutions participating in the Title IV Federal Student Aid programs to issue a statement advising the campus community where the State law enforcement agency information concerning registered sex offenders/predators may be obtained. Sex offenders are required to be registered according to the State law in the State in which they reside and are also required to notify appropriate State officials of each postsecondary school at which the offender is employed or is a student. Any such offender is also required to give notice to the appropriate State authorities of any changes in enrollment or employment status at the postsecondary school.

In the State of Michigan information concerning registered sex offenders and predators may be obtained from:

Michigan State Police  
Sex Offender Registry  
Phone: (517) 241-1806

The MSP SOR website: [https://www.michigan.gov/msp/0,4643,7-123-1878\\_24961---,00.html](https://www.michigan.gov/msp/0,4643,7-123-1878_24961---,00.html)

Information is also available in the United States Department of Justice national sex offender registry at <http://www.nsopw.gov/Core/Portal.aspx>



## **TITLE IX POLICY STATEMENT**

Title IX of the Education Amendments of 1972 ("Title IX") protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states:

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 program or activity receiving Federal financial assistance.

Motion Picture Institute not only complies with the letter of Title IX's requirements but also endorses the law's intent and spirit. The Institution is committed to compliance in all areas addressed by Title IX, including access to higher education, career education, math and science, standardized testing, athletics, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

The purpose of this policy is to ensure that the Institution's policies are applied and interpreted in ways consistent with Title IX and other applicable law.

It is the policy of the Institution to provide educational, preventative and training programs regarding sexual or gender-based harassment; to encourage reporting of incidents; to prevent incidents of sexual and gender-based harassment from denying or limiting an individual's ability to participate in or benefit from the Motion Picture Institute's programs; to make available timely services for those who have been affected by discrimination; and to provide prompt and equitable methods of investigation and resolution to stop discrimination, remedy any harm, and prevent its recurrence. Violations of this policy may result in the imposition of sanctions up to, and including, termination, dismissal, or expulsion, as determined by the appropriate officials at the Motion Picture Institute.

### **Discrimination**

Motion Picture Institute prohibits discrimination and harassment based on race, color, creed, religion, sex, gender, national origin, citizenship, ethnicity, marital status, age, disability, sexual orientation, gender identity and gender expression, genetic information, veteran status, or any other status protected by applicable law to the extent prohibited by law.

### **Motion Picture Institute's TITLE IX Officer**

Motion Picture Institute appoints Title IX Officers. The Institution's Title IX Officer is:

Kathryn McDermott, Title ix Coordinator  
2040 Crooks Rd, Ste. B  
Troy, Michigan 48084  
248-528-1760

### **Sexual Harassment**

Motion Picture Institute defines sexual harassment as unwelcome behavior of a sexual nature that relates to the gender or sexual identity of an individual and that has the purpose or effect of creating an intimidating, offensive or hostile environment for study. This policy applies to all interactions between students and Motion Picture Institute's faculty members and other faculty, staff, and administrative personnel, and other students.

Conduct alleged to be sexual harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context, and duration of the questioned behavior. Repeated incidents or a pattern of harassing behavior may be cause

for serious corrective action. However, a more serious incident, even if isolated, may be sufficient cause for action under this policy including referral to law enforcement when applicable.

Quid pro quo sexual harassment can occur whether a person resists and suffers the threatened harm, or the person submits and avoids the threatened harm. Both situations could constitute discrimination on the basis of sex. A hostile environment can be created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. Sexual violence, including rape, sexual assault, and domestic and dating violence, is a form of sexual harassment. In addition, the following conduct may violate this policy:

1. Observing, photographing, videotaping, or making other visual or auditory records of sexual activity or nudity, where there is a reasonable expectation of privacy, without the knowledge and consent of all parties.
2. Sharing visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties and recipients.
3. Sexual advances, whether or not they involve physical touching.
4. Commenting about or inappropriately touching an individual's body.
5. Requests for sexual favors in exchange for actual or promised job benefits, such as favorable reviews, salary increases, promotions, increased benefits, or continued employment.
6. Lewd or sexually suggestive comments, jokes, innuendoes, or gestures.
7. Stalking

Other verbal, nonverbal, graphic, or physical conduct may create a hostile environment if the conduct is sufficiently persistent, pervasive, or severe so as to deny a person equal access to Motion Picture Institute's programs or activities. Whether the conduct creates a hostile environment may depend on a variety of factors, including: the degree to which the conduct affected one or more person's education or employment; the type, frequency, and duration of the conduct; the relationship between the parties; the number of people involved; and the context in which the conduct occurred.

### **Unwelcome Conduct**

Conduct is unwelcome if a person (1) did not request or invite it and (2) regarded the unrequested or uninvited conduct as undesirable or offensive. That a person welcomes some sexual contact does not necessarily mean that person welcomes other sexual contact. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion.

Whether conduct is unwelcome is determined based on the totality of the circumstances, including various objective and subjective factors. The following types of information may be helpful in making that determination: statements by any witnesses to the alleged incident; information about the relative credibility of the parties and witnesses; the detail and consistency of each person's account; the absence of corroborating information where it should logically exist; information that the Respondent has been found to have harassed others; information that the Complainant has been found to have made false allegations against others; information about the Complainant's reaction or behavior after the alleged incident; and information about any actions the parties took immediately following the incident, including reporting the matter to others.

In addition, when a person is so impaired or incapacitated as to be incapable of requesting or inviting the conduct, conduct of a sexual nature is deemed unwelcome, provided that the Respondent knew or reasonably should have known of the person's impairment or incapacity. The person may be impaired or incapacitated as a result of drugs or alcohol or for some other reason, such as sleep or unconsciousness. A Respondent's impairment at the time of the incident as a result of drugs or alcohol does not, however, diminish the Respondent's responsibility for sexual or gender-based harassment under this policy.

### **Gender-Based Harassment**

Gender-based harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from Motion Picture Institute's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this policy.

### **Investigations of Complaints**

A complaint that a student, staff or faculty member has committed sexual harassment or engaged in nonconsensual sexual activity may be made to the Title IX Compliance Officer, or a staff or faculty member. Motion Picture Institute will conduct an investigation, as appropriate under the circumstances.

The investigative process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. A complainant need not pursue a criminal complaint in order to seek or to hold the accused responsible through Motion Picture Institute's Student Code of Conduct. As soon as possible, the complainant and the accused will be offered appropriate assistance, and our Title IX officer will be contacted if course adjustments are required.

Based on the outcome of the investigation, the Title IX Officer or their designee will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX Officer or their designee will arrange for an informal resolution conference with the accused. (Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome.) If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or their designee will determine if the evidence warrants a formal hearing before a Grievance Committee.

The exact nature of the responsive action depends on the circumstances, but may include discipline up to and including suspension or dismissal from the Institution for a student, staff or faculty who is found to have violated Institutional policies.

### **Implementing Provisions/Policies**

The Institution will take appropriate action (i.e., an investigation, adjudication and disciplinary and remedial/corrective steps) in response to a complaint made pursuant to the complaint policies/procedures listed above. The Institution will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains and the rights of the accused.

The Institution handles complaints discreetly and attempts to maintain privacy throughout the investigative process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses. Additionally, the institution may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

Complaints may be made anonymously. While the Institution endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while the Institution attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible.

In appropriate cases as determined by Motion Picture Institute, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal Grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymously and/or the victim may not wish to be personally identified. The Institution endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, Motion Picture Institute attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be confidential and will not result in an investigation or follow up action, the Institution offers confidential resources through the President. Contact with the President that does not result in a complaint being filed with the institution or result in action being taken by the institution. Anyone wishing to have an incident investigated, mediated or adjudicated must make a complaint either orally or in writing in accordance with the procedures described above.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, Motion Picture Institute does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, the institution uses a "preponderance of the evidence" standard, and Motion Picture Institute may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence which is of greater weight or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigative or adjudication process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by law. An accused that is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights granted under law. The particular method and grounds for appeal are explained in the student policies listed above.

Motion Picture Institute will, upon written request, disclose to the alleged victim of a crime of violence (see definition below), or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Motion Picture Institute will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

*§ 16. Crime of violence defined. The term "crime of violence" means— (a) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.*

Motion Picture Institute endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases or when the Institution is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.

Motion Picture Institute prohibits retaliation against any individual who in good faith makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or participates as a witness in a proceeding under this or any other School policy. Retaliation is also unlawful pursuant to Title IX and other laws.

Compliance with the provisions of the changes that VAWA made to the Clery Act does not constitute a violation of the *Family Educational Rights and Privacy Act (FERPA)*

## **A STATEMENT OF CURRENT POLICIES CONCERNING THE SEXUAL ASSAULT PREVENTION PROGRAM AND THE PROCEDURES THAT ARE FOLLOWED**

The new Campus Sexual Violence Elimination Act of 2013 (SaVE Act) requires schools to educate students, staff, and faculty on the prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. As part of Motion Picture Institute's compliance with the SaVE Act requirements for prevention and awareness programs that address the specified areas above, the institution has several relevant brochures available on display at the front desk. These brochures are from nationally recognized organizations and include awareness and preventive information. These brochures also include help hotlines related to these specific topics.

### **Male Victims**

While most victims of sexual assault are women, some men are also victims and will be treated the same as a female victim and have the same rights, resources and access to help.

### **Institutional Notice of Petitioner's Rights Under the Violence Against Women Act**

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 program or activity receiving Federal financial assistance.

Motion Picture Institute not only complies with the letter of Title IX's requirements but also endorses the law's intent and spirit. The Institution is committed to compliance in all areas addressed by Title IX including access to higher education, career education, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and include dating violence, domestic violence, sexual assault and stalking. As such should you report a form of sex-based discrimination, Motion Picture Institute wants to inform you of our policy and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus as well as your rights, and the institution's responsibilities.

As a petitioner of sexual assault, dating violence, domestic violence or stalking, you will receive a full copy of our institution's Title IX Policy. This policy has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. These procedures include our right to inform you of your rights to file criminal charges as well as the availability of medical, counseling, and support services. We also offer additional remedies to prevent contact between a complainant and an accused party. The policy also addresses possible sanctions and interim and/or long-term protective measures that Motion Picture Institute may impose.

## **Definitions**

**Consent** is defined as “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.” In Michigan consent is not specifically defined. The standard used in the sexual assault statutes is whether the accused used “force or coercion to accomplish the sexual [act].” [Mich. Comp. Laws. Ann. § 750.520b – e.](#)

**Sexual Assault** is defined as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

**Sexual violence** includes any one incident of:

1. Sexual battery, as defined in a lewd or lascivious act, as defined in upon in the presence of a person younger than 16 years of age.
2. Luring or enticing a child, as described in [Michigan Penal Code § 750.145a](#)
3. Sexual performance by a child, as described in [Mich. Comp. Laws. Ann. § 750.520b – e.](#)
4. Any other forcible felony wherein a sexual act is committed or attempted regardless of whether criminal charges based on the incident were filed, reduced, or dismissed by the state attorney.

**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 cohabitating with or has cohabitated with the victim as a spouse, 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.

Domestic violence means 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 of another family or household member. A family or household member means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and 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.

**Dating Violence** means violence committed by a person—

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship will be determined based on a consideration of the following factors:
  - a. The length of the relationship
  - b. The type of relationship
  - c. The frequency of interaction between the persons involved in the relationship

Dating violence means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

1. A dating relationship must have existed with in the past 6 months.
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties.



3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time, and on a continuous basis during the course of the relationship.

The term does not include violence in a casual acquaintanceship or violence between individuals who have engaged in ordinary fraternization in a business or social context.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

**“Credible threat”** means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety, or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.

**“Cyber stalk”** means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. A person who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in [Mich. Penal Code Section § 750.411h](#). A person who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in [Mich. Penal Code Section § 750.411h](#).

**Bystander Intervention** A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking, or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence, or stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse.

**Reporting sexual assault, dating violence, domestic violence, or stalking** After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible at a local hospital that will supply a physical evidence recovery collection kit. In Michigan, evidence may be collected even if you chose not to make a report to law enforcement. A victim’s name and identifying information will be withheld from the public and press in accordance with the Public Records Law. It is important that a victim of sexual assault 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 evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

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, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to the Institution’s hearing boards/investigators or police. Although the institution strongly encourages all members of its community to report violations to law enforcement, it is the victim’s choice whether or not to make such a report, and victims have the right to decline involvement with the police.

To report an incident involving a sexual assault, domestic violence, stalking or dating violence, contact:

Douglas Schulze, President, CSA  
2040 Crooks Rd. Ste. B  
Troy, Michigan 48084  
248-528-1760  
[doug@mpifilm.com](mailto:doug@mpifilm.com)

Kathryn McDermott, Title ix coordinator  
2040 Crooks Rd, Ste. B  
Troy, Michigan 48084  
248-528-1760  
[kathryn@mpifilm.com](mailto:kathryn@mpifilm.com)

The purpose and authority of the institution staff is limited to the enforcement of campus rules and regulations. Incidents that go beyond this scope are referred and investigated by the City of Troy Police Department.

City of Troy Police Department  
500 W. Big Beaver Rd.  
Troy, Michigan 48084  
248-524-3477  
[troypolice@troymi.gov](mailto:troypolice@troymi.gov)

A victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

1. A law enforcement officer who investigates an alleged sexual battery shall:
  - (a) Assist the victim in obtaining medical treatment, if medical treatment is necessary as a result of the alleged incident, a forensic examination, and advocacy and crisis-intervention services from a certified rape crisis center and provide or arrange for transportation to the appropriate facility.
  - (b) Advise the victim that he or she may contact a certified rape crisis center from which the victim may receive services.
  - (c) Prior to submitting a final report, permit the victim to review the final report and provide a statement as to the accuracy of the final report.
2. The law enforcement officer shall give the victim immediate notice of the legal rights and remedies available to a victim on a standard form developed and distributed in conjunction with the City of Troy Police Department. The notice will include the resource listing, including telephone number, for the area certified rape crisis center as designated by the State.

A person who is the victim of sexual violence or the parent or legal guardian of a minor child who is living at home who is the victim of sexual violence has standing in the circuit court to file a sworn petition for an injunction for protection against sexual violence on his or her own behalf, or on behalf of the minor child if:

1. The person has reported the sexual violence to a law enforcement agency and is cooperating in any criminal proceeding against the respondent, regardless of whether criminal charges based on the sexual violence have been filed, reduced, or dismissed by the state attorney; or
2. The respondent who committed the sexual violence against the victim or minor child was sentenced to a term of imprisonment in state prison for the sexual violence and the respondent's term of imprisonment has expired or is due to expire within 90 days following the date the petition is filed.

Further, the Institution complies with State law in recognizing orders of protection for dating violence, domestic violence, repeat violence, and sexual violence. Any person who obtains an order of protection from the State or any reciprocal state should provide a copy to the Title ix



Coordinator or school President/CSA. A petitioner should then meet with Title ix Coordinator to develop a Safety Action Plan, which is a plan to reduce risk of harm while on campus, or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, or other measures to assist the petitioner.

**Below are details on how to file a restraining order:**

1. Prepare a petition and file the petition with county clerk.
  - a. Petition includes information on the petitioner and respondent, such as, address, employment, children, and description of the respondent.
  - b. Allegation
    - 1) Must be described in detail
    - 2) Relationship to the respondent
    - 3) Dates of incidents
  - c. Reviewed by Judge immediately
    - 1) If requirements are met
    - 2) Judge will grant a temporary restraining order
    - 3) Restraining order will be valid for 15 days
    - 4) Once order is served to the respondent it will be valid and enforceable
    - 5) Once serviced make sure that the sheriff or police add it into the Law Enforcement Information Network (LIEN).
2. Court Hearing
  - a. Scheduled 15 days after filing.
  - b. Hearing will be extended 15 days if respondent cannot be found. (Temporary restraining order will not be valid or enforceable until respondent is served.)
  - c. Gather witnesses, and any other evidence to present to the Judge.
  - d. All documents must be certified under State Rules of Evidence, or a live witness must testify at the hearing to document authenticity of the documents.
  - e. Evidence must relate to the allegation on the petition.
3. Hearing
  - a. Respondent does not appear at hearing.
    - 1) Petitioner allowed to present evidence.
    - 2) Ruling will be based on evidence presented.
  - b. Respondent appears at hearing.
    - 1) Respondent can object to evidence which is based on State Rules of Evidence.
    - 2) Respondent can cross-examine witnesses and the petitioner.
  - c. Petitioner will rest their case.
  - d. Respondent can introduce evidence.
  - e. Judge Rules on:
    - 1) Custody (if required)
    - 2) Visitation (if required)
    - 3) Restraining Order can be for a certain time period or indefinitely.
    - 4) Judge can also deny petition.
    - 5) At any time either the petitioner or respondent can file to remove the Restraining Order.

The Hearing is considered a trial and is applicable to State Rules of Evidence. Non-authenticated statements and hearsay are not allowable at the hearing.

To the extent of the victim's cooperation and consent, all Institutional offices will work cooperatively to ensure that the petitioner's health; physical safety, work and academic status are protected, pending the outcome of a formal Institution investigation of the complaint. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The Institution does not publish the name of crime victims nor publish any identifiable information regarding victims in the crime logs.

## **Disciplinary Procedures Following a Complaint**

The investigative process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. A complainant need not pursue a criminal complaint in order to seek, or to hold the accused responsible through the Institution's Student Code of Conduct. As soon as possible, the complainant will be offered appropriate assistance.

Based on the outcome of the investigation, the assigned Title IX Officer or their designee will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX Officer or the designee will arrange for an informal resolution conference with the accused. Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome. If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or their designee will determine if the evidence warrants a formal hearing before the Grievance Committee. The exact nature of the responsive action depends on the circumstances, but may include discipline up to and including suspension or dismissal from Motion Picture Institute for a student, staff or faculty who is found to have violated Institutional policies.

Motion Picture Institute will take appropriate action i.e., an investigation, adjudication and disciplinary and remedial/corrective steps in response to a complaint made pursuant to the complaint policies/procedures listed above. Motion Picture Institute will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains, and the rights of the accused.

Motion Picture Institute handles complaints discreetly and attempts to maintain privacy throughout the investigative process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses. Additionally, Motion Picture Institute may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

Complaints may be made anonymously. While Motion Picture Institute endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while Motion Picture Institute attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible.

In appropriate cases as determined by Motion Picture Institute, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal Grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymously and/or the victim may not wish to be personally identified. Motion Picture Institute endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, Motion Picture Institute attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be confidential and will not result in an investigation or follow up action, Motion Picture Institute will also proceed in this regard.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, Motion Picture Institute does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, Motion Picture Institute uses a "preponderance of the evidence" standard, and the Institution may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence which is of greater weight, or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigative or adjudication process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by law. An accused that is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights the law grants. The particular method and grounds for appeal are explained in the student policies listed above.

Motion Picture Institute endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases, or when Motion Picture Institute is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.

Motion Picture Institute prohibits retaliation against any individual who in good faith makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or participates as a witness in a proceeding under this or any other Institution policy. Retaliation is also unlawful pursuant to Title IX and other laws.

Motion Picture Institute engages in educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
3. Defines what behavior and actions constitute consent to sexual activity in the State of Michigan.
4. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

This educational campaign will consist of but not be limited to the distribution of educational materials to new students, participating in and presenting information and materials during student/employee orientation and through newsletters among other means of distribution through the year. The President and Title ix Coordinator also have a directory of services that are available to victims within the community to assist those who have suffered from a criminal act.

## **Risk Reduction/Warning Signs of Abusive Behavior**

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, to recognize warnings signs of abusive behavior and how to avoid potential attacks.

### **Warning Signs of Abusive Behavior**

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include:

1. Being afraid of your partner.
2. Constantly watching what you say to avoid a “blow up.”
3. Feelings of low self-worth and helplessness about your relationship.
4. Feeling isolated from family or friends because of your relationship.
5. Hiding bruises or other injuries from family or friends.
6. Being prevented from working, studying, going home, and/or using technology (including your cell phone.)
7. Being monitored by your partner at home, work, or school.
8. Being forced to do things you don't want to do.

### **Help Reduce Your Risk and Avoid Potential Attacks**

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

1. Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
2. Consider making a report with the Title ix Coordinator and/or Campus President and ask for a “no contact” directive from Motion Picture Institute to prevent future contact.
3. Consider getting a protective order or stay away order.
4. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
5. Trust your instincts—if something doesn't feel right in a relationship, speak up or end it.

### **Sexual Assault Prevention (From Rape, Abuse and Incest National Network - RAINN)**

- Try not to leave your drink unattended.
- Only drink from un-opened containers, or from drinks you have watched being made and poured.
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Keep track of how many drinks you have had.
- Try to come and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours.

### **Traveling around campus**

- Make sure your cell phone is easily accessible and fully charged.
- Take major, public paths rather than less populated shortcuts.
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Carry a noisemaker on your keychain.
- Carry a small flashlight on your keychain.

Motion Picture Institute has a sexual assault prevention program that includes, but is not limited to the following:

- If an assault occurs, notify the Campus President and/or Title ix Coordinator immediately
- Do not disturb the crime scene
- Notify local law enforcement officials
- Secure counseling for the victim
- Change the academic schedule and/or living situation (on campus housing) if victim requests
- Disciplinary actions include dismissal from Motion Picture Institute

The nature of sexual assault, particularly when perpetrated by an acquaintance, makes it difficult for many survivors to report their experience. For this reason, the local Shelters and Women's Service Centers are primary places where individuals may seek assistance in complete confidentiality.

## **Important Phone Numbers**

### **Oakland County HAVEN**

(248)334-1274(24-hourCrisis&Support)

(877)922-1274(tollfree)

(248)972-2540TTY

<https://www.haven-oakland.org>

### **Turning Point ,Inc.**

(586)463-6990(24-hourcrisisline)

(586)463-4430(BusinessandCounseling)

(586)463-1771(fax)

<https://turningpointmacomb.org>

### **Children's & Adult Protective Services**

**MichiganDepartmentofHealth&HumanServices**

(855)444-3911(24/7hotline)

[http://www.michigan.gov/mdhhs/0,5885,7-339-73971\\_7119---,00.html](http://www.michigan.gov/mdhhs/0,5885,7-339-73971_7119---,00.html)

### **Common Ground Sanctuary**

24-hourcrisishotline

(800)231-1127

<http://www.commongroundhelps.org>

### **YWCA InterimHouse**

(313)861-5300

<http://www.ywcadetroit.org/programs/domestic-violence/>

### **National Domestic ViolenceHotline**

(800)799-SAFE(7233)(tollfree)

(800)787-3224TTY(tollfree)

<http://www.thehotline.org>

### **National Sexua IAssault Hotline**

(800)656-HOPE(4673)

<https://www.rainn.org>

### **National Suicide Prevention Lifeline**

(800)273-TALK(8255)(24/7hotline)

<https://suicidepreventionlifeline.org>

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES – STATEMENT OF POLICY**

Motion Picture Institute has in place at each campus facility a campus response protocol. In an emergency or a dangerous situation, upon confirmation with the Campus President, or designee, of the need for mass notification, the Campus President, or designee, will without delay, taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Emergency or dangerous situations may include, but are not limited to, gas leaks, tornadoes, contagious viruses, etc.

## **EMERGENCY NOTIFICATIONS**

In the event of an emergency or a dangerous situation that poses an immediate threat to the campus community, Motion Picture Institute may utilize some or all of its mass notification capabilities to notify its campus community. These capabilities may include e-mail, voice mail and text messages to alert the campus community. In addition, members of the administration will post relevant updates and advisories on the appropriate school ( [www.mpifilm.com](http://www.mpifilm.com) ) and bulletin boards and private social media sites. The Campus President, or designee, will simultaneously use the local means at her disposal to notify the campus students, staff and faculty of the situation, as well as disseminate pertinent information to relevant public entities.

This emergency notification requirement does not replace the timely warning requirement described earlier. They differ in that the timely warning applies only to Clery Act reportable crimes while the emergency notification requirement addresses a much wider range of threats (i.e., gas leaks, tornadoes, contagious viruses, etc.). However, an institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances or incident, but must provide adequate follow-up information to the community as needed.

Members of the community at large who are interested in receiving updates during an emergency can call the school phone main phone line (1-844-214-6108) or visit the website at [www.mpifilm.com](http://www.mpifilm.com).

Training, exercises and tests will be conducted annually by management on the campus level and by the individuals relevant to mass notification. Management will document each test conducted by all relevant entities.

### **Student Must Know – Emergency Information**

The campus takes various precautionary measures to protect the students, staff, faculty, and campus visitors. Nevertheless, unavoidable emergencies may occur in extreme situations. Therefore, each campus has a Campus Security Authority (CSA) that implements and oversees the campus response to a crisis situation. The CSA receives training in dealing with crisis situations and will primarily direct the immediate response to a crisis situation until the arrival of law enforcement and emergency response personnel.

In order to make this program effective, students are to familiarize themselves with the following emergency procedures.

Nothing herein precludes any student, staff or faculty from contacting the appropriate authorities directly in the event they feel in threat of physical harm or imminent danger.

**\*\*\* In case of emergency - dial 911 \*\*\***



## **Department of Homeland Security:**

### **“Active shooter awareness- options for consideration”**

<http://www.dhs.gov/video/options-consideration-active-shooter-training-video>

## **Student Emergency Responses**

There is potential for students to be involved in a variety of emergency situations for which appropriate actions must be taken. These possible situations include incidences that may require emergency evacuation, emergency lockdown, external lockdown, or to shelter in place.

### **Emergency Evacuation**

Evacuation is the movement of campus occupants from a dangerous or potentially dangerous location to a safe location. There are two types of evacuation: fire evacuation and non-fire evacuation.

Fire evacuation:

- Evacuation is mandatory when a fire alarm is activated.
- Follow authorized personnel's (e.g., faculty, staff, or fire department personnel, etc.) instructions if given.
- Do not use the elevators.
- Assist people with disabilities, if possible.
- Ensure all doors and windows are closed as a room and building are evacuated. (Do not lock doors.)
- Do not attempt to reenter the facility unless and until directed to do so by authorized personnel.
- Evacuate to a safe distance and location from the building affected, away from fire hydrants, fire lanes, and not under power lines.

Non-fire evacuation:

- A non-fire evacuation will be initiated by campus CSA.
- Follow CSA instructions if given.
- Do not use the elevators.
- Assist people with disabilities if possible.
- Do not attempt to reenter the facility unless directed to do so

### **Emergency Lockdown**

Emergency Lockdown is used to dramatically and rapidly enhance the level of security of the campus. By locking all exterior, interior and classroom doors, staff can make it more difficult for dangerous person(s) in the vicinity of the campus and in the campus to gain access to staff and students;

- Lock or barricade doors of classroom and internal student areas of congregation.
- Close blinds, turn off lights.
- Remain quiet and out of sight.
- If gunshots are heard, lie on the floor and try to use available resources for additional cover and concealment.
- If you are outside when a lockdown is declared, seek shelter away from danger.
- If a fire alarm is activated during a lockdown, proceed with extreme caution.
- Do not open the door for people claiming to be public safety personnel unless you have an opportunity to view photo identification or are instructed to do so by a staff member whom you recognize.



### **External Lockdown**

External lockdown creates a physical layer of security between the internal and external dimensions of the campus. In addition to locked entrances, this may also include a supervised entry and exit to campus facilities, and/or barricade to campus property (e.g., barricades or chains restricting access to campus parking and grounds). This lockdown allows staff and students to continue activities while maintaining access control to the campus and remain in an elevated state of security.

- Remain in classroom.
- Follow faculty and staff instructions
- Remain attentive to any change in status.

### **Shelter in place**

Sheltering in place procedures are traditionally utilized when:

1. A tornado has been spotted.
  2. There has been a chemical or biological incident outside of, but in proximity to a campus and available information indicates that there is no adequate time to evacuate building occupants to another safe location before the dangerous contaminants reach the facility.
- Follow staff and faculty instructions.
  - Assist people with disabilities if possible
  - If you are outside when a shelter in place is declared, immediately seek an interior room or hallway with no windows.
  - Close windows and doors – do not lock doors.
  - Remain in shelter until an all clear is given.

### **Staff and Faculty Must Know – Emergency Information**

The campus takes various precautionary measures to protect the students, staff, faculty, and campus visitors. Nevertheless, unavoidable emergencies may occur in extreme situations. Therefore, each campus has a Campus Security Authority (CSA) that implements and oversees the campus response to a crisis situation. The CSA receives training in dealing with crisis situations and will primarily direct the immediate response to a crisis situation until the arrival of law enforcement and emergency response personnel.

In order to make this program effective, all staff and faculty are expected to familiarize themselves with the following emergency procedures.

Nothing herein precludes any student, staff or faculty from contacting the appropriate authorities directly in the event they feel in threat of physical harm or imminent danger.

### **Staff and Faculty Emergency Responses**

**\*\*\* In case of emergency: dial 911 \*\*\***

There are a number of different potential situations that may occur that have capability to impact students or staff and faculty. The following possible scenarios are described below with steps to be taken.

- Emergency evacuation for a fire incident
- Emergency evacuation for bomb threat or other non-fire situation
- Emergency lockdown
- External lockdown
- Shelter in place

## **Emergency Evacuation for a Fire Incident**

### Definition

A fire emergency evacuation is initiated when a fire incident occurs. Depending upon the campus size, it may require an evacuation of a single particular building affected by the fire incident, rather than the entire campus.

The objective: all building occupants are safely evacuated to a safe distance and location from the building affected, away from fire hydrants, fire lanes, and not under power lines.

### Staff Response

Staff/faculty responsible for the affected areas should conduct a sweep of the building(s) to ensure all students are aware of and appropriately responding to the fire alarm and safely evacuated.

Fire evacuation procedures:

- Evacuation is mandatory when a fire alarm is activated.
- Designated staff or faculty check the affected building(s) to ensure all personnel are appropriately evacuating.
- Do not use the elevators.
- Assist people with disabilities if possible.
- Ensure all doors and windows are closed as a room and building are evacuated.
- Do not attempt to reenter the facility unless and until directed to do so by authorized personnel.
- Evacuated persons are directed to a safe distance and location from the building affected, away from fire hydrants, fire lanes, and not under power lines.

## **Emergency Evacuation for Bomb Threat or Other Non-Fire Situation**

### Definition

Non-fire emergency evacuation is used for any emergency evacuation not related to a fire incident. It is important to remember that evacuation distances significantly expand, up to hundreds of yards, for suspicious object evacuations. Nevertheless, not all bomb threats will necessarily result in evacuation, depending upon the individual event circumstances.

The objective: move all campus occupants to a remote, predefined and controlled location.

### Staff Response

Team members who are designated to sweep evacuation routes and sites should locate a staff member to take responsibility for students under their supervision, and should then sweep the evacuation route and evacuation site for secondary hazards. They should immediately report their findings to the lead administrator.

**Note:** The lead administrator will typically direct that this step be completed before making the general announcement for evacuation of the building.

Other staff:

1. Gather all students and visitors in your area of responsibility and evacuate using the route and site designated by the lead administrator or designee.
2. Ensure that all special needs persons are provided assistance by their designees as per the site evacuation plan.
3. Remain alert to your surroundings. Be particularly alert to any people or conditions that might pose a danger to evacuees. If you encounter a significant hazard, quickly evaluate the situation; adjust your evacuation route and attempt to notify the lead administrator or the appropriate public safety officials.

4. Once you reach the designated evacuation site, search the site for suspicious objects and adjust accordingly.
5. On evacuation site - develop a written list of all evacuees and provide the list to the lead administrator or his/her designee. Also indicate the presence or lack of any suspicious objects in your room/work area.
6. Supervise students under your care.
7. Do not attempt to reenter the facility unless the lead administrator or his/her designee directs you to do so.

## **Emergency Lockdown**

### Definition

Emergency Lockdown is used to dramatically and rapidly enhance the level of security in the facility. By locking all exterior, interior and class doors, staff can make it more difficult for dangerous person(s) in the vicinity or in the facility to gain access to staff and students.

**Note – locking doors should not eliminate immediate egress possibilities from the facility.**

Objective: Create as many physical layers of separation between you and the potential aggression.

### Staff Response:

1. Make sure entrance points to the building near your location are locked immediately.
2. If you are located in an area with a door that can be locked, gather all students in the vicinity into the room and lock the door.
3. Improvise additional door blocking if possible.
4. Close blinds and cover additional windows, e.g., with a shirt, up-turned table, paper, etc.
5. Turn off lights in the room.
6. If possible, report your status to the lead administrator or designee by telephone or intercom.
7. Do not open the door for people claiming to be public safety personnel unless you have an opportunity to view photo identification or are instructed to do so by a staff member whom you recognize.

### Department of Homeland Security:

- **“Active shooter awareness - options for consideration”**  
<http://www.dhs.gov/video/options-consideration-active-shooter-training-video>

## **External Lockdown**

### Definition

External lockdown creates a physical layer of security between the internal and external dimensions of the campus. By locking all exterior doors and supervising these doors, staff can make it more difficult for a possible external intruder or a potentially dangerous person in the vicinity of the facility to gain access to staff and students. In addition to locked entrances and supervised entry and exit to campus facilities, this step may include barricades to campus property (e.g., barricades or chains restricting access to campus parking lots and grounds). This lockdown allows staff and students to continue with productive activities while maintaining access control to the facility.

Objective: create a physical layer of security between the external environment and internal campus operation while elevating the overall level of security.

**Staff Response:**

1. Make sure the designated entrance points to the building near your location are locked immediately.
2. If you are in an external classroom to the main building move students to alternative internal classrooms.
3. If possible, report your status to the lead administrator or designee by telephone or intercom.
4. Continue with normal activities as much as the situation allows.
5. If students or staff have a need to move about in the building, obtain permission first from the lead administrator or designee.
6. Be prepared to rapidly implement an emergency evacuation or emergency lockdown – if directed to do so or if circumstances indicate you should do so.

**Shelter in Place**

**Definition**

Sheltering in place procedures are traditionally utilized when:

1. A tornado has been spotted.
2. There has been a chemical or biological incident outside of, but in proximity to, a facility and available information indicates that there is no adequate time to evacuate building occupants to another safe location before the dangerous contaminants reach the facility.

**Objective:** Seek immediate shelter away from doors and windows and remain there during an emergency

**Staff Response:**

1. All staff that is outdoors should quickly gather all students and adults in the area and instruct them to go inside the facility immediately. Once inside, if possible instruct everyone to move to an interior area without windows and doors.
2. Close all windows and doors.
3. In chemical spills / biological incident - if available, use tape to cover all windows and doors with sheets of plastic to help reduce airflow into the area. Wet towels can be used to reduce airflow under doors. Close all outside air vents. Turn off all heating or ventilation systems. Use damp towels or cloths to cover any openings in walls or doors. Tape can also be used to cover any cracks, crevices, electrical outlets, cable television connections or other openings that might allow air to flow into the shelter area.
4. Listen to local radio or television news for instructions from emergency management and public safety officials.
5. Review emergency evacuation protocols

**Annual Fire Safety Report**

This report will be distributed to all enrolled students and employees by October 1 each year. A report is available for all prospective students and employees.

The following must be addressed for all on campus student housing facilities:

1. A description of each fire safety system
2. Number of fire drills held during previous calendar year
3. Policy on the rules for portable electrical appliances, smoking and open flames.
4. Procedures for evacuation in case of a fire.
5. Policies in regard to fire safety education and training provided to students and employees including procedures to be followed in case of a fire.
6. A list of the titles of each person or organization that students or employees should report a fire so that it can be included in the annual fire safety report.
7. Any plans for improvement for fire safety if the institution feels necessary.

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

Motion Picture Institute will conduct an annual test of an emergency response and/or evacuation. This test may be announced or unannounced and will be documented by the CSA.

Type of drill: Fire Drill Procedure – Semi-unannounced

Date of drill: October 29, 2020

Time drill started: 9:25 AM (morning) | 6:45 PM (evening)

Time drill concluded: 9:35 AM | 6:50 PM

How long did response/evacuation take: 2 min 6 sec (morning) | take: 1 min 45 sec (even)

Time alarm sounded: 9:25 AM (morning) | 6:45 PM (evening)

Time when employees/students were moved to safe areas: 9:27:06 AM (morning)  
6:47:00 PM (evening)

COMMENTS:

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

Type of drill: Tornado Drill Procedure – Announced

Date of drill: April xx, xxxx

Time drill started: x:xx pm

Time drill concluded: x:0xx pm

How long did response/evacuation take: x minutes x seconds

Time alarm sounded: x:xx:xx pm

Time when employees/students were moved to safe areas: x:xx pm

COMMENTS:

Tornado drill proceeded smoothly and quickly with no problem getting everyone to the interior areas of the first floor in a timely manner. Total time until staff and students were situated in safe areas was x:xx. It is noted that the area xxxx xxxxxxxxxxxx xxx should be avoided, as it does not close, and there are glass windows in the xxxx facing the xxxxxx.

## **Crime Definitions From the Summary Reporting System (SRS) User Manual From the FBI's UCR Program**

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Criminal Homicide—Manslaughter by Negligence: The killing of another person through gross negligence.

Criminal Homicide—Murder and Nonnegligent Manslaughter: The willful (nonnegligent) killing of one human being by another.

Rape: The penetration, no matter how slight, of the vxxxxx or axxx with any body part or object, or oral penetration by a sxx organ of another person, without the consent of the victim.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned— including joyriding.)

Weapons: Carrying, Possessing, Etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Crime Definitions From the National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program**

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

A. Fondling—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.

B. Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

C. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

**Crime Definitions From the Hate Crime Data Collection Guidelines and Training Manual From the FBI's UCR Program**

Larceny-Theft (Except Motor Vehicle Theft)--The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

# Annual Security Report

Motion Picture Institute Crime Statistics Troy Campus 2020	On Campus Reports (Incident & Police)			Police Reports on Public Property			Police Reports in or on a Non-Campus Building or Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Crime Classification									
<b>Primary Crimes:</b>	0	0	0	0	0	0	N/A	N/A	N/A
Murder/non-negligent manslaughter	0	0	0	0	0	0	N/A	N/A	N/A
Negligent manslaughter	0	0	0	0	0	0	N/A	N/A	N/A
Rape	0	0	0	0	0	0	N/A	N/A	N/A
Fondling	0	0	0	0	0	0	N/A	N/A	N/A
Incest	0	0	0	0	0	0	N/A	N/A	N/A
Statutory rape	0	0	0	0	0	0	N/A	N/A	N/A
Robbery	0	0	0	0	0	0	N/A	N/A	N/A
Aggravated assault	0	0	0	0	0	0	N/A	N/A	N/A
Burglary	0	0	0	0	0	0	N/A	N/A	N/A
Motor Vehicle Theft	0	0	0	0	0	0	N/A	N/A	N/A
Arson	0	0	0	0	0	0	N/A	N/A	N/A
<b>Arrests:</b>	0	0	0	0	0	0	N/A	N/A	N/A
Liquor Law Violation	0	0	0	0	0	0	N/A	N/A	N/A
Drug Abuse Violation	0	0	0	0	0	0	N/A	N/A	N/A
Weapons Possession	0	0	0	0	0	0	N/A	N/A	N/A
<b>Disciplinary Action:</b>	0	0	0	0	0	0	N/A	N/A	N/A
Liquor Law Violation	0	0	0	0	0	0	N/A	N/A	N/A
Drug Abuse Violation	0	0	0	0	0	0	N/A	N/A	N/A
Weapons Possession	0	0	0	0	0	0	N/A	N/A	N/A
<b>Hate Crimes:</b>	0	0	0	0	0	0	N/A	N/A	N/A
Murder/non-negligent manslaughter	0	0	0	0	0	0	N/A	N/A	N/A
Negligent manslaughter	0	0	0	0	0	0	N/A	N/A	N/A
Rape	0	0	0	0	0	0	N/A	N/A	N/A
Fondling	0	0	0	0	0	0	N/A	N/A	N/A
Incest	0	0	0	0	0	0	N/A	N/A	N/A
Statutory rape	0	0	0	0	0	0	N/A	N/A	N/A
Robbery	0	0	0	0	0	0	N/A	N/A	N/A
Aggravated assault	0	0	0	0	0	0	N/A	N/A	N/A
Burglary	0	0	0	0	0	0	N/A	N/A	N/A
Motor vehicle theft	0	0	0	0	0	0	N/A	N/A	N/A
Arson	0	0	0	0	0	0	N/A	N/A	N/A
Larceny/theft	0	0	0	0	0	0	N/A	N/A	N/A
Simple assault	0	0	0	0	0	0	N/A	N/A	N/A
Intimidation	0	0	0	0	0	0	N/A	N/A	N/A
Destruction/damage/vandalism	0	0	0	0	0	0	N/A	N/A	N/A
<b>VAWA Offenses:</b>	0	0	0	0	0	0	N/A	N/A	N/A
Domestic Violence	0	0	0	0	0	0	N/A	N/A	N/A
Dating Violence	0	0	0	0	0	0	N/A	N/A	N/A
Stalking	0	0	0	0	0	0	N/A	N/A	N/A
<b>Unfounded Crimes:</b>	0	0	0	0	0	0	N/A	N/A	N/A
Total unfounded crimes	0	0	0	0	0	0	N/A	N/A	N/A

**A STATEMENT OF POLICY REGARDING THE POSSESSION, USE, AND SALE OF ALCOHOLIC BEVERAGES AND ENFORCEMENT OF STATE UNDERAGE DRINKING LAWS, AND POSSESSION, USE, AND SALE OF ILLEGAL DRUGS AND ENFORCEMENT OF FEDERAL AND STATE DRUG LAWS**



## **A DESCRIPTION OF DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS**

Motion Picture Institute publishes and distributes annually to all current students and employees a copy of the Drug and Alcohol Abuse Prevention Program. Below are the details related to this topic.

### **Drug and Alcohol Abuse Prevention**

Drug abuse affects all aspects of American life. It threatens the workplace, our homes, our schools and our community. The U.S. Department of Education requires institutions of higher education to implement a drug prevention and awareness program for their students and employees through the **Safe and Drug-Free Schools and Communities Act**. All students are expected to conduct themselves as mature adults and as members of an academic community. The consumption of alcohol or drugs while attending class is prohibited and may be subject to disciplinary action.

### **Standards of Conduct**

Motion Picture Institute community must adhere to a code of conduct that recognizes that the unlawful manufacture, sale, delivery, unauthorized possession or use of any illicit drug is prohibited on property owned or otherwise controlled by Motion Picture Institute. If an individual associated with Motion Picture Institute is apprehended for violating any drug- or alcohol-related law when on School property, or participating in a School activity, Motion Picture Institute will fully cooperate with all law enforcement agencies. Underage possession or consumption of alcoholic beverages is not permitted on property owned or controlled by Motion Picture Institute and the state laws will be enforced. Intentionally or knowingly selling, or intentionally or knowingly furnishing alcoholic beverages to persons under the age of 21, or to persons obviously inebriated, is not permitted on property owned or controlled by Motion Picture Institute.

### **Health Risks Associated with the use of Illicit Drugs and the Abuse of Alcohol**

Moderate to high doses of alcohol cause marked impairments in higher mental functions and the loss of memory. High doses of alcohol can cause respiratory depression and death. Long-term consumption, particularly when combined with poor nutrition, can also lead to dependence and permanent damage to vital organs such as the brain and the liver. Physical effects of drugs include increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. The use of drugs may impair or reduce short-term memory and comprehension, alter sense of time, and reduce the ability to perform tasks requiring concentration and coordination. Motivation and cognition may also be altered making the acquisition of new information difficult. As one can see from the above, there are major health risks associated with the use of illicit drugs and the abuse of alcohol.

### **Federal Financial Aid Penalties for Drug Violations**

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education Opportunity Act states students convicted of an illicit drug violation can be denied federal financial aid for a specific period, in addition to other legal penalties. The Free Application for Federal Student Aid (FAFSA) asks students if they have been convicted of a drug-related offense: "Have you ever been convicted of possessing or selling illegal drugs?" If you answer "yes," Motion Picture Institute will send a worksheet in the mail to determine if your conviction affects your eligibility for aid. Failure to answer the question automatically disqualifies students from receiving federal financial aid. Answering this question falsely could result in fines up to \$20,000, imprisonment or both.

### **Penalties for Drug Convictions**

If the student was convicted of both possessing and selling drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

#### **Possession of Illegal Drugs**

- For a first offense, a student loses eligibility for federal financial aid for one year from the date of conviction.
- For a second offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a third offense and subsequent offenses, a student has indefinite ineligibility for federal financial aid from the date of conviction.

#### **Sale of Illegal Drugs**

- For a first offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a second offense and subsequent offenses, a student has indefinite ineligibility from the date of conviction.

### **Other Potential Federal Penalties for Drug Violations**

Some other potential federal penalties and sanctions applicable to drug-related offenses include:

#### 21 U.S.C. 844

1st conviction: Up to 1-year imprisonment and fined at least \$1,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5, or both.

Provisions relating to increased penalties in cases of certain serious crack possession offenses, making offenders subject to fines under Title 18 or imprisonment to terms not less than 5 years and no more than 20 years, or both.

Possession of flunitrazepam shall be imprisoned for not more than 3 years, shall be fined as otherwise provided in this section, or both after mixture or substance exceeds 1 gram.

#### 21 U. S. C. 844a

Civil fine up to \$10,000

#### 21 U. S. C. 847 Additional Penalties

Any penalty imposed for violation of this subchapter shall be in addition to, and not in lieu of, any civil or administrative penalty or sanction authorized by law.

#### 21 U. S. C. 854 Investment of illicit drug profits

Whoever violates this section shall be fined no more than \$50,000 or imprisoned not more than 10 years, or both.

#### 21 U. S. C. 862

a. Drug Traffickers - Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 5 years for the first offense, up to 10 years for second and permanently ineligible for subsequent offenses.

b. Drug Possessors – 1<sup>st</sup> offense is up to 1 year and 2<sup>nd</sup> and subsequent offenses are up to 5 years.

c. Suspension of period of ineligibility (A) (B) (C)

21 U. S. C. 862a

Denial of assistance and benefits for certain drug related convictions, i.e., state program funded under the Social Security Act or food stamp program or state program under the Food Stamp Act.

More information about federal penalties and sanctions for unlawful possession, use, sale, and/or distribution of controlled substances is located at

<http://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>

**Legal Consequences of Substance Abuse in the State of MICHIGAN**

Michigan classifies drugs into "schedules." Schedules are determined by the drug's level of danger. They also determine the charges and penalties involved for possessing different drugs. Generally speaking, the more dangerous a drug is, the higher the penalties an individual will face if convicted of possession.

<b>Statute(s)</b>	Michigan Compiled Laws <a href="#">Section 333.7403</a>
<b>What's Prohibited?</b>	It's prohibited for a person to knowingly or intentionally possess a controlled substance or a prescription form unless it was obtained pursuant to a valid prescription or order of a practitioner while he or she was acting in the course of his or her professional practice, or if it's otherwise authorized by law.
<b>Charges and Penalties</b>	<p>The charges and penalties for violating Michigan's drug possession laws will depend on the type of drug and amount involved. As an example of the types of charges and penalties that may be involved, a schedule 1 or 2 drug is charged as a felony and punishable by:</p> <ul style="list-style-type: none"> <li>• Maximum of life in prison and/or a fine not exceeding \$1,000,000 if the amount is 1,000 grams or more.</li> <li>• Maximum of 30 years and/or a fine not exceeding \$500,000 if the amount is anywhere between 450 grams and less than 1,000 grams.</li> <li>• Maximum of 20 years and/or a fine not exceeding \$250,000 if the amount is anywhere between 50 grams and less than 450 grams.</li> <li>• Maximum of 4 years and/or a fine not exceeding \$25,000 if the amount is less than 50 grams.</li> </ul> <p>For the charges and penalties of other types of drugs, please see <a href="#">Section 333.7403</a>.</p>
<b>Related Statute(s)</b>	<p>Michigan Compiled Laws</p> <ul style="list-style-type: none"> <li>• <a href="#">Section 333.7401</a> (<i>Drug manufacturing and possession with intent to manufacture or deliver</i>)</li> <li>• Sections <a href="#">333.7212, 14, 16, 18, 20</a> (<i>Controlled substances schedules</i>)</li> <li>• Section <a href="#">333.7407, 10, 10(a)</a> (<i>Distribution</i>)</li> <li>• <a href="#">Section 333.7413</a> (<i>Penalties</i>)</li> </ul>

## **State of Michigan Alcohol Laws**

### **Influenced Driving**

Each year in Michigan, hundreds of people die needlessly as the result of drinking or drugged driving. Hundreds more are seriously injured or permanently disabled, and millions of dollars of property damage occur. Here are some things you should know about the consequences of drinking and driving in Michigan.

#### **Driving Under the Influence of Alcohol or Drugs (OUIL, OUID, UBAC) *OUIL (operating under the influence of liquor)* *OUID (operating under the influence of drugs)* *UBAC (unlawful bodily alcohol content)***

##### **1st Offense: Misdemeanor**

Punishable by a fine of not less than \$100 or more than \$500 and/or community service for not more than 45 days, and/or imprisonment for not more than 93 days. In addition, the driver's license will be suspended for not less than 6 months and not more than 2 years, with 6 points added to the driving record and vehicle subject to immobilization. A restricted license cannot be granted for the first 30 days.

##### **2<sup>nd</sup> Offense (or any prior drunk driving conviction within 7 years): Misdemeanor**

Punishable by a fine of not less than \$200 or more than \$1,000 and, either minimum community service of 30 days (up to 90 days) or jail for not less than 5 days with at least 48 consecutive hours (up to 1 year). In addition, the driver's license will be revoked for a minimum of 1 year with 6 points added to the driving record and vehicle subject to immobilization or forfeiture.

##### **3rd Offense: Felony**

Punishable by a fine of not less than \$500 or more than \$5,000 and either imprisonment of not less than 1 year or more than 5 years, or probation with imprisonment in the county jail for not less than 30 days or more than 1 year and community service for not less than 60 days or more than 180 days. Driver's license will be revoked for 5 years with 6 points added to driving record and vehicle immobilization or forfeiture.

### **OWI (Operating While Impaired)**

1st Offense: Misdemeanor

- Up to \$300 fine and/or
- Up to 93 days in jail and/or
- Up to 45 days of community service
- Driver's license restriction 90 days
- Possible vehicle immobilization up to 180 days
- 4 points on driver's record

2nd Offense (or any prior drunk driving conviction within 7 years): Misdemeanor

- \$200 to \$1,000 fine and
- 5 days to 1 year jail and/or
- 30 to 90 days of community service
- Driver's license revocation
- License plate confiscation
- Vehicle immobilization 90 to 180 days unless forfeited
- Possible vehicle forfeiture/immobilization
- 4 points

3rd Offense (or any 2 prior drunk driving convictions within 10 years): Felony

- \$500 to \$5,000 fine and either of the following:
- 1 to 5 years in prison or probation with 30 days to 1 year in jail and 60 to 180 days of community service
- Driver's license revocation 5 years
- License plate confiscation
- Registration denial
- Vehicle immobilization 1 to 3 years
- Possible vehicle forfeiture
- 4 points

### **Penalties for Repeat Offenders**

In 1998 a twenty-bill package of legislation was enacted to address the problems of repeat drunk driving, and driving without a license. The "Repeat Offender" package established penalties that include vehicle forfeiture or immobilization, metal license plate confiscation, registration denial and the installation of an ignition interlock device. The crimes under the repeat offender statutes include:

- OUIL, OWI, or OUIL/OWI causing death or serious impairment of a bodily function; or repeat violations in any combination arising out of separate incidents.
- Driving while license suspended (DWLS).
- Driving while license suspended causing death (DWLS causing death).
- Knowingly allowing another person to drive while suspended.
- Knowingly allowing another person to drive while suspended causing death.
- Committing a drunk driving offense while another person who is less than 16 years of age is occupying the vehicle.

## **Minors Drinking and Driving**

Any bodily alcohol content (BAC) is defined as “not less than .02 grams or more than .07 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.”

This law allows for the consumption of intoxicating liquor as part of a generally recognized religious service or ceremony. A person less than 21 years of age, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, if the person has any bodily alcohol content.

1st offense: Misdemeanor

Punishable by 2 points on the driver’s license; a driver’s license restriction for 30 days; and by 1 or both of the following:

- Community service for not more than 45 days.
- Fine of not more than \$250.

2nd offense: Misdemeanor

If a violation occurs within 7 years of 1 or more prior convictions, the person may be sentenced to 1 or more of the following:

- Community service for not more than 60 days.
- Fine of not more than \$500.
- Imprisonment for not more than 93 days.

Child Endangerment: Misdemeanor

A person less than 21 years of age who operates a motor vehicle with “any bodily alcohol content” while another person who is less than 16 years of age is occupying the vehicle is guilty of child endangerment and is punishable as follows:

- Imprisonment for up to 1 year and/or a fine of up to \$1,000.
- Community service for not more than 60 days.

If the violation occurs within 7 years of a prior conviction or within 10 years of 2 or more prior convictions, the person shall be fined between \$200 and \$1,000 and to 1 or more of the following:

- Imprisonment for not less than 5 days or more than 1 year. Not less than 48 hours of this imprisonment shall be served consecutively. This term shall not be suspended.
- Community service for not less than 30 days or more than 90 days.
- Vehicle immobilization unless vehicle is ordered forfeited

## **Accident Causing Death: Felony**

- \$2,500 to \$10,000 fine and/or
- Up to 15 years in prison
- Driver’s license revocation
- License plate confiscation
- Vehicle immobilization up to 180 days
- Possible vehicle forfeiture

### **Accident Causing Long-Term Incapacitating Injury: Felony**

- \$1,000 to \$5,000 fine and/or
- Up to 5 years prison
- Driver's license revocation
- License plate confiscation
- Vehicle immobilization up to 180 days
- Possible vehicle forfeiture

### **Implied Consent**

In Michigan, any person who drives a motor vehicle on any public road or other place open to the general public or generally accessible to motor vehicles (including parking areas) and is stopped by a law enforcement officer, he or she may be asked to take some sobriety tests, including a Preliminary Breath Test (PBT) to determine whether the person is under the influence of alcohol.

If the person refuses to take the PBT, he or she will be charged with a civil infraction and fined up to \$100 plus court costs. Persons under 21 years of age will also have two points added to their driving record. If the person is arrested, he or she will be required to take a chemical test to determine their bodily alcohol content (BAC) or the presence of another drug in their blood. Under Michigan's Implied Consent Law, the person is considered to have given his or her consent to this test. If the person refuses to take this test, six points will be added to their driving record and their license will be suspended for six months. If he or she has previously refused to take the test, six points will be added to their driving record and their license will be suspended for one year. If the person refuses to take this test, or if the test shows a .10 BAC or more, his or her driver's license will be confiscated and cut up by the law enforcement officer.

### **Insurance**

The Michigan insurance statutes do not permit denial of coverage for individuals involved in accidents when the cause is related to the person's use of alcohol or drugs. However, insurance companies can refuse to renew a policy, can increase premium rates, or can exclude from further coverage a person convicted of driving under the influence.

### **Possession of Alcoholic Beverages**

It is illegal for any person under the age of 21 to have alcoholic beverages in their possession, whether open or unopened. Penalties include:

- A maximum of \$500 fine and up to 90 days in jail.

### **Using a Fake Michigan Driver's License or ID Card**

The penalties for using false IDs are serious and could change your life forever.

- Obtaining a driver's license through false affidavit is punishable by 1 year in jail and a maximum \$2,000 fine or both.

### **Zero Tolerance Law for Underage Drinking and Driving**

The state of Michigan has enacted the Zero Tolerance law, a tough law which makes it illegal for individuals who are younger than 21 to consume alcohol and operate a vehicle. Anyone under age 21 who is determined to have a BAC (blood alcohol concentration) of more than 0.02% but less than 0.08% may be arrested for OWI under the Zero Tolerance law. Basically, this applies to any person under the age of 21 determined to have "any bodily alcohol content" with the exception of an occasion on which it can be proven the presence of alcohol resulted from a generally recognized religious service.



## Penalties for Drinking and Driving

When an individual is convicted for a first-time OWI Zero Tolerance offense, the penalties may include a fine of \$500 and 360 hours of community service, 180-day license suspension and 6 points on a driver's license. A first-time offender will not usually serve jail time, however a second OWI offense within seven years will result in penalties that are more severe such as \$700 fine, up to 180 days in jail, 360 hours of community service, one year license suspension, mandatory alcohol treatment program, ignition interlock use and compliance after 45 days license suspension is required to receive a restricted driver's license. Also, if you were convicted for an OWI Zero Tolerance offense at age 18 and arrested for an additional DUI offense at age 23, you may be charged with an OWI second offense. The penalties for a second offense include jail time of up to 93 days, a \$500 fine, and 60 days of community service.

Additional penalties include driver's license suspension/revocation, impound of your vehicle, and more. It's also important to note that you may not be charged with a felony third offense as a result of a Zero Tolerance offense, as this conviction may be used only once to enhance the charge for a second offense.

### Effect on Your Driving Record

- Zero Tolerance (BAC of .017 or greater) – Except during suspension period, not on public driving record as long as there is no subsequent suspension.
  - DWI Conviction (BAC of .08 or greater) – Permanently on public driving record.
- Under certain conditions, you may be charged with DUI even though your BAC is below .02.

### How You Can Help Report Drunk Drivers

You can help by reporting suspected drunk drivers to your nearest State Police Headquarters. From your cellular telephone or citizens band radio, provide us with the following information:

- The location you are calling from.
- Time, location, direction of travel and a description of the suspected drunk driver.
- The make, color, and license plate number of the car.

### Blood Alcohol Content Table

This table shows the effects of alcohol on a normal person of a given body weight. Please do not take this table as a license to drink irresponsibly. Everyone is different, and alcohol affects each person in a slightly different way. Only you know your limits. Please drink within them.

One drink equals:

Levels of Intoxication:

\* 1 oz. 86 proof Liquor, or

BAC less than .05% - Caution

\* 3 oz. wine, or

BAC .05 to .079% - Driving Impaired

\* 12 oz. Beer

BAC .08% & up - **Presumed Under the Influence**

Number of Drinks

Body Weight	1	2	3	4	5	6	7	8	9
100	0.032	0.065	0.097	0.129	0.162	0.194	0.226	0.258	0.291
120	0.027	0.054	0.081	0.108	0.135	0.161	0.188	0.215	0.242
140	0.023	0.046	0.069	0.092	0.115	0.138	0.161	0.184	0.207
160	0.020	0.040	0.060	0.080	0.101	0.121	0.141	0.161	0.181
180	0.018	0.036	0.054	0.072	0.090	0.108	0.126	0.144	0.162
200	0.016	0.032	0.048	0.064	0.080	0.097	0.113	0.129	0.145
220	0.015	0.029	0.044	0.058	0.073	0.088	0.102	0.117	0.131
240	0.014	0.027	0.040	0.053	0.067	0.081	0.095	0.108	0.121

This table shows the effects of alcohol within one hour on a normal person of a given body weight.

### Staying Out of Trouble

“Don’t drink and drive” is the simplest way to ensure you don’t run afoul of Michigan DWI laws, but clearly that doesn’t work for everybody. If you have had a few drinks, here are a few ways to avoid getting behind the wheel

Call a cab: What’s a \$20 or \$30 cab fare compared to the vast fines listed above?

- Get a room: If you’re far from home, crash at a hotel. A \$60 bill is much smaller than thousands of dollars in DUI fines.
- Phone a friend: Your pal may be upset with a rude awakening, but a true friend would always rather pick you up at the party at 3:00 AM than the police station the next day.

All of the above are better options than getting behind the wheel when you’re under the influence. So heed the advice, and you won’t have to endure any of the harsh Michigan DUI penalties.

### How to Regain Federal Student Aid Eligibility

1. A student can regain eligibility for federal student aid funds the day after the period of ineligibility ends or upon having a conviction reversed, set aside, or removed from the student’s record so that fewer than two convictions for sale of illegal drugs or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility.
2. A student may also regain eligibility upon successful completion of a qualified drug rehabilitation program that must:
  - Include the student passing at least two unannounced drug tests;
 AND

- Have received or is qualified to receive funds directly or indirectly under a federal, state or local government program, or
  - Be administered by a federal, state, or local government agency or court, or
  - Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company, or
  - Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.
3. A student may further regain eligibility upon successful completion of two unannounced drug tests which are part of an approved rehab program (the student does not need to complete the rest of the program).

The student is responsible to certify that a rehabilitation program was successfully completed. As with the conviction question on the FAFSA, Motion Picture Institute is not required to confirm the reported information unless conflicting information is determined.

### **Convictions during Enrollment**

Federal regulations require enrolled students convicted of a drug offense after receiving federal financial aid to notify Motion Picture Institute immediately. The student will then become ineligible for further federal financial aid and must repay federal financial aid received after the conviction.

### **Drug and Alcohol Counseling**

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

### **Institutional Sanctions for Alcohol and Drug Violations**

Any member of Motion Picture Institute community found consuming or selling drugs on School property shall be subject to discipline on a case-by-case basis.

- Discipline will be based on the seriousness of the situation.
- A case may result in dismissal from Motion Picture Institute.
- In all cases, Motion Picture Institute will abide by local, state and federal sanctions regarding unlawful possession of drugs and the consumption of alcohol.
- Additional state penalties and sanctions may also apply.
- Motion Picture Institute has adopted a zero-tolerance policy regarding underage drinking.
- Successful completion of an appropriate rehabilitation program by an individual confirmed to have been in violation of alcohol or drug policies and/or laws who has since sought admission or readmission to Motion Picture Institute will be considered on a case-by-case basis.

## **A DESCRIPTION OF DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS**

Motion Picture Institute publishes and distributes annually to all current students and employees a copy of the Drug and Alcohol Abuse Prevention Program. Below are the details related to this topic.

### **Drug and Alcohol Abuse Prevention**

Drug abuse affects all aspects of American life. It threatens the workplace, our homes, our schools and our community. The U.S. Department of Education requires institutions of higher education to implement a drug prevention and awareness program for their students and employees through the **Safe and Drug-Free Schools and Communities Act**. All students are expected to conduct themselves as mature adults and as members of an academic community. The consumption of alcohol or drugs while attending class is prohibited and may be subject to disciplinary action.

The expectations set forth in Motion Picture Institute's Standards of Conduct related to drug and alcohol use is discussed earlier. Those expectations, as well as the provision of the related risks and consequences with the penalties and possible sanctions being highlighted, are re-emphasized and distributed to students and employees at least annually. Additionally, drug and alcohol counseling resources are made known to all members of Motion Picture Institute community.

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

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

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

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

## **Biennial Review of the Drug and Alcohol Abuse Prevention Program**

Schools are required to conduct a biennial review of their drug and alcohol abuse prevention program. This review must include a determination of the number of drug and alcohol-related violations and fatalities that occur on the institution's campus or as part of the institution's activities and the number and type of sanctions imposed by the institution as a result of drug and alcohol-related violations and fatalities that occur on the institution's campus or as part of the institution's activities.

The term "campus" is defined in the same manner as it is defined for campus safety reporting purposes. That is, the term campus encompasses any building or property owned or controlled by Motion Picture Institute within a reasonably contiguous geographic area used in direct support of Motion Picture Institute's educational purposes or used by students and supporting institutional purposes.

The effectiveness of Motion Picture Institute's prevention program is, in part, also measured by tracking the number of drug and alcohol-related

- disciplinary actions,
- treatment referrals, and
- incidents recorded by campus officials.

Additionally, to assist in the determination of the effectiveness of Motion Picture Institute's prevention program, Motion Picture Institute considers, if and when Motion Picture Institute is made aware, the number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse. Motion Picture Institute also conducts a survey to ascertain student, faculty, and employee attitudes and perceptions about whether there is a drug and alcohol problem on campus.

With the results gathered from the various points of information described above, Motion Picture Institute writes its report giving the results of the biennial review and its determination of whether the program is being effective or must be modified. Motion Picture Institute keeps the biennial review on file in case of a possible audit. Schools are not required to send their review to the U.S. Department of Education unless requested to do so. Motion Picture Institute conducts its biennial review every other even year. The report from the review and documents related to it are retained for three years after the fiscal year in which the report was created.