

FINLANDIA

UNIVERSITY

2019-2020 Annual Security and Fire Safety Report

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University Employees
Enrolled Students
Prospective Students
Public; upon request

INTRODUCTION

University Mission Statement

Finlandia University is a learning community dedicated to academic excellence, spiritual growth, and service. With its dedicated faculty and diverse student body, the university fosters intellectual challenge, open dialogue, service to others, and an entrepreneurial response to a world characterized by change.

University Size

Finlandia University Enroll approximately 400 students from across the US and worldwide.

University History

Founded in 1896, Finlandia University is a private, not-for-profit, coeducational liberal arts college affiliated with the Evangelical Lutheran Church in America. It is located in the town of Hancock, in Michigan's Upper Peninsula. Finlandia competes in NCAA Division III athletics in 13 programs. Finlandia University is accredited by the Higher Learning Commission of the North Central Association for Colleges and Schools. At Finlandia you can earn degrees in the disciplines of Art and Design, Business Administration, Liberal Studies, and Health Science.

Annual Security Report

At Finlandia University, the safety and security of our community is our primary concern. The Department of Campus Safety & Security, in cooperation with other campus departments, works diligently to maintain and promote a safe learning environment.

In 1990 the Student Right to Know and the Campus Security Act was designed to "assist students in making decisions which affect their personal safety..." and "...to make sure institutions of higher education provide students, prospective students, faculty, and staff the information they need to avoid becoming the victims of campus crime." The Higher Education Act of 1998 and the subsequent amendment of the implementing regulations significantly expanded institutions' obligations under the Act. The Act was also renamed the "Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act." The Clery Act requires colleges and Universities to:

- Publish an annual report every year by October 1st that contains three years of campus crime statistics and certain campus security policy statements
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities. The statistics must be gathered from campus police or security, local law enforcement, and other College officials who have significant responsibility for student and campus activities
- Provide "timely warning" notices of those crimes that have occurred and pose an ongoing "threat to employees and students".
- Disclose in a public crime log "any crime that occurred on campus ...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department".

Campus community members are reminded that safety and security is everyone's responsibility and that our campus is made safer by each individual's actions and reporting.

Campus Safety & Security Services

The Department of Campus Safety and Security is located on the first floor of Finlandia Hall, located at 625 Summit Street. The Department is staffed 24 hours per day, 7 days per week. The Department is managed by the Director of Campus Safety & Security and is assisted by Campus Security Officers. The Department of Campus Safety and Security can be contacted at (906) 487-7307 or (906) 370-7307.

The Department provides campus patrols, access control to facilities, maintains key control, and issues vehicle permits to faculty, staff, students, and visitors. Identification cards are issued to students and employees. The Department enforces University parking policies and the Student Code of Conduct. Additionally, the Department reports and investigates campus crimes and accidents. The Department maintains a Daily Complaint Log, central Lost & Found depository and compiles annual statistical data. DCSS is responsible for emergency planning and management, and ensuring compliance with regulations and laws of the state and federal governments. The Department works closely with the Hancock City Police and maintains liaison with other local, state, and federal agencies.

Enforcement

The Department of Campus Safety and Security officers are responsible for enforcing the Student Code of Conduct (residence life staff have the specific responsibility of enforcing the Student Code of Conduct within the residence hall). Although officers of the Department of Campus Safety and Security have the specific responsibility of enforcing the Student Code of Conduct for the entire campus setting, including the main campus of Finlandia University, the residence hall, and all events sponsored by the University, on or off campus, members of the university community are encouraged to hold each other accountable for the acceptable standards of behavior as outlined in the Student Handbook .

The Dean of Students and/or designee(s) is responsible to mediate the disciplinary process of the Student Code of Conduct . Violations of the Student Code of Conduct reported to the Department of Campus Safety and Security are submitted to the Dean of Students via a Maxient Incident Report. Campus security will work with the Dean of Students office in cases where criminal charges may be appropriate.

Reporting Crime or Emergencies

The DCSS must be promptly notified in all cases involving loss, crime, suspicious activity, personal injury, safety hazards, auto accidents, or fire occurring on the campus of Finlandia University. DCSS can be reached at 487-7307 (ext. 307 on-campus) or 370-7307.

In the interest of personal and community safety, victims or witnesses of such events have a duty to report them. All campus community members share responsibility for the maintenance of safety and security at Finlandia University. The choice to prosecute an alleged offender generally rests with the victim of a crime. Crimes against the university will be acted upon by the DCSS and prosecution and/or restitution shall be sought. To ensure safety, the DCSS must be notified of any potential threats or actions taken against or arranged by community members, such as a Personal Protection Order issued by a court prohibiting stalking, appearance at work/school, etc. If you have questions or concerns, contact the director of the DCSS at 487-7307 (ext. 307 on-campus).

Relationship between Finlandia University and Local Law Enforcement

The Department of Campus Safety & Security maintains a collegial working relationship with the City of Hancock Police Department and Houghton County Sheriff's Department, but since Campus Security is not a sworn law enforcement agency, there are no written agreements. Campus Security and local police officers and investigators regularly communicate at the scene of incidents and at other times around the campus area. It is important for police officers to be familiar with the Finlandia University campus and its facilities.

Finlandia University Emergency Response & Recovery Plan

Anticipating the possibility of an emergency or major disaster on campus, Finlandia University has instituted an Emergency Response & Recovery Plan which is available by contacting the Finlandia University Department of Campus Safety & Security. The University will provide electronic copies of the plan at the beginning of each semester as well as during student orientation. No Emergency Response Plan can be all inclusive, but this plan has been developed to guide and assist in times of great emergency.

The Finlandia Emergency Response & Recovery Plan establishes a basic guide to faculty, staff and students for responding to major emergencies on the Finlandia University Campus. The Plan describes the roles and responsibilities of the various departments and personnel during an emergency situation. Personnel with specific responsibilities to be carried out during an emergency at both a departmental and university level are expected to understand the procedures for which they are responsible.

The Emergency Response & Recovery Plan is designed to protect lives and property through effective use of university and community resources. The Plan identifies specific departments and individuals that are responsible for emergency response with critical support services and it provides a management structure for coordinating and deploying essential resources.

POLICIES APPLICABLE TO COMMUNITY MEMBERS

The policies adopted by the University are maintained by the Department of Campus Safety and Security and reviewed annually by the Director of DCSS in collaboration with other University officials to ensure compliance with Federal directives. The policies listed below apply to all campus community members defined as; an employee, student, or visitor. The student handbook contains the full text of conduct related policies regarding students. Finlandia students are provided information on where to access the Student Handbook electronically. Employees of the University will also receive a copy of an Employee Handbook upon hire and will receive a copy of the student handbook electronically.

A. General Campus Safety & Security Policies, Plans, and Guidelines

- University Parking Policy
- University Emergency Response Plan
- University Key Control Policy
- University Employee Driver's Policy
- University Search and Seizure Policy
- University Use of Force Policy
- Self-Defense Spray Registration Guidelines

B. Campus Security Act & Clery Act – Required Policies

- University Crime Reporting and Emergencies
- University Security and Access Control to Facilities
- University Enforcement and Arrest Authority of DCSS Personnel
- Responsibility for One's Own Security & Security of Others
- University Crime Prevention Programming
- University Prohibition of Alcohol & Drugs
- University Crime Statistics
 - University Equal Opportunity, Harassment and Nondiscrimination Policy and Procedures
- University Weapons Policy
- University Drug Enforcement Policy
- University Residence Hall – Security & Fire Safety
- University Timely Warning Policy
- University Missing Student Policy

C. Timely Warning Policy/Emergency Notification

The Finlandia University Department of Campus Safety & Security is responsible for providing timely information to the campus community when a threat exists. The decision to issue a timely warning to the Finlandia Campus rests with the Director of Campus Safety & Security.

A Campus Crime Alert will be distributed as soon as possible after an incident is reported. Finlandia University provides this information to the campus community in a timely manner with the intent that members may adjust their work or study patterns or habits to ensure a heightened degree of personal safety awareness within their lives.

Campus Crime Alerts are issued in two formats- hardcopy and electronic postings. Information will be disseminated through posted notices in campus buildings and on bulletin boards. They are posted in the residence hall and academic buildings by staff from the Department of Campus Safety & Security and the Department of Living and Learning. Electronic notices of the alerts are sent via e-mail and text messaging to students and employees.

In order to receive Campus Crime Alerts via text message, Finlandia University community members are required to independently register on the [Campus Safety & Security](#) section of the Finlandia University website. This is a free service and is open and available to all Finlandia University community members.

D. Missing Student Policy

Scope: This policy applies to students who reside in campus housing.

Purpose: The purpose of this policy is to establish procedures for the college's response to reports of missing students, as required by the Higher Education Opportunity Act. For purposes of this policy, a student will be

considered missing, if a roommate, classmate, faculty member, family member or other campus person has not seen the person in a reasonable amount of time. A reasonable amount of time may vary with the time of day and information available regarding the missing person's daily schedule, habits, punctuality, and reliability. Individuals will be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety. If the initial report that a person is missing is made to a department other than the Department of Campus Safety and Security, the employee receiving the report will ensure that the Department of Campus Safety is contacted immediately.

Procedure: Procedures for designation of emergency contact information

1) Students age 18 and above and emancipated minors

Students will be given the opportunity during each semester registration process to designate an individual or individuals to be contacted by the college "in case of emergency". In the event a student is reported missing college personnel will attempt to contact his/her emergency designee no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. An emergency contact designee will remain in effect until changed or revoked by the student.

2) Students under the age of 18

In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the college is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

Official Notification Procedures for Missing Persons

a) Any individual on campus who has information that a residential student may be a missing person must notify the Department of Campus Safety and Security as soon as possible.

Note: In order to avoid jurisdictional conflicts when a commuter student is believed to be missing, the reporting person should immediately notify local law enforcement authorities. The Department of Campus Safety and Security will assist outside agencies with these investigations as requested.

b) The Department of Campus Safety and Security will gather information about the residential student from the reporting person and from the student's acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental well being of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.

c) If the above actions are unsuccessful in locating the student within 4 hours of the report or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), the Department of Campus Safety and Security will contact the Hancock Police Department to report the student as a missing person and the local law enforcement agency will take over the investigation.

d) No later than 24 hours after determining that a residential student is missing, the director of student affairs or designee will notify the emergency contact (*for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

E. Daily Complaint Log Policy

The Department of Campus Safety & Security maintains a daily complaint log that is available for public inquiry. Disclosure of log activities is restricted to the type of incident, time, date, and location. Names of victims or the accused are not released. DCSS reserves the right to preserve confidentiality in private investigations and safeguarding the confidential nature of open law enforcement investigations.

SEX OFFENDER INFORMATION

The Federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus how to obtain state law enforcement agency information concerning registered sex offenders. Information regarding registered sex offenders can be obtained from the Michigan Sex Offender Registry, located at https://www.michigan.gov/msp/0,4643,7-123-1878_24961---00.html

DRUG-FREE AND ALCOHOL-FREE SCHOOLS AND COMMUNITIES – ADVISORY

POLICY REGARDING THE USE OF DRUGS AND ALCOHOL BY STUDENTS

The university's policy is to conform to all applicable laws (Michigan Health and Safety Code) and follows the current stance of the medical and mental health professions regarding the use of psychoactive substances including stimulants, depressants, narcotics, inhalants, hallucinogens and marijuana.

The University expects all students and student groups to comply with all local, state, and federal laws. It is the responsibility of each individual to be aware of, and abide by, all federal, state, and local ordinances and university regulations.

Student involvement in underage consumption of alcohol, or the manufacture, use, possession, distribution or sale of illegal drugs (including the improper use of prescription drugs) is a matter of concern to the university and will subject a student so involved in disciplinary action by the university. Dependent upon the nature of the violation, assessing university sanctions may include educational intervention, fines, mandated community reparations, suspension, or expulsion aside from or in addition to prosecution under applicable state and federal laws. University action may be taken whether or not independent action is taken by civil authorities.

HEALTH RISKS ASSOCIATED WITH THE USE, MISUSE, OR ABUSE OF ALCOHOL AND DRUGS

The use, misuse, or abuse of alcohol and other drugs is detrimental to the health of the user. Further, the use of drugs and alcohol is not conducive to an academic atmosphere. Drugs, including alcohol, impede the learning process and can cause disruption for other students and disturb academic activities. The use of alcohol and drugs in the work place may also impede the employee's ability to perform in a safe and effective manner, and may result in injuries to self or others. Early identification and treatment of alcohol and drug abuse is in the best interest of both the user and the university. The following is a partial list of drugs and the consequences of their use, misuse or abuse.

ALCOHOL

Alcohol is chemically classified as a mind-altering drug because it contains ethanol and has the chemical power to depress the action of the central nervous system. This depression affects motor coordination, speech, and vision. In large amounts, it can affect respiration and heart rate. Chronic alcohol abuse can lead to alcoholism, malnutrition, and cirrhosis of the liver. Alcohol abuse by pregnant women can cause fetal alcohol syndrome, the third leading cause of birth defects in the United States. Alcohol, in combination with other drugs, can be fatal. Traffic accidents involving drunk drivers, cirrhosis of the liver, other accidents involving alcohol, homicides where alcohol was consumed by a principal, alcohol-related suicides, and alcohol/drug combination overdoses cause over 250,000 deaths each year nationwide.

MARIJUANA

Marijuana is harmful to the health and impairs the short-term memory and comprehension of the user. Marijuana alters a person's sense of time and reduces the ability to perform tasks requiring concentration and coordination. It increases the heart rate and appetite. Motivation and cognition can be altered, making the acquisition and retention of new information difficult. Unlike alcohol, which is absorbed at the rate of one drink per hour, marijuana takes between five and eight days for half of the THC content (the main psychoactive ingredient in marijuana) of a single marijuana cigarette to be eliminated completely. One of the physical dangers of smoking marijuana is damage to the lungs. Marijuana has up to 50% more cancer-causing tars than tobacco. Because people who smoke marijuana usually hold it in their lungs as long as possible, the damage from the smoke is greatly increased. Marijuana may also cause a decrease in the production of the primary sex hormone, testosterone. It can also reduce the amount of sperm produced, but cannot be relied upon as a form of birth control. In women, heavy marijuana use can cause disruptions in the menstrual cycle.

SYNTHETIC MARIJUANA (SPICE/K2)

This is a fairly new drug. Studies and research into its use are limited. Initial reports and studies suggest that synthetic marijuana can cause acute psychosis, and may trigger a chronic psychotic disorder in someone who has a family history of mental illness. Other side effects reported are vomiting and agitation.

AMPHETAMINES (SPEED, UPPERS)

Amphetamines stimulate the central nervous system, increasing heart rate and blood pressure which can result in a stroke or heart failure. Deaths from heart failure have occurred among athletes who use amphetamines to increase energy, alertness, and endurance. Symptoms of amphetamine abuse include dizziness, sleeplessness and anxiety. Amphetamine use can also lead to psychosis, hallucinations, and paranoia. Overdoses may be followed by chills, collapse, and loss of consciousness. Prolonged use of amphetamines to counter fatigue is a form of psychological dependence.

SEDATIVES (BENZODIAZEPINES)

Common sedatives are Valium, Xanax, and Ativan, often prescribed for anxiety, insomnia, or agitation. When used as prescribed, these medications are generally safe and effective for short-term use. However, dependence can occur with long-term use, with the possibility of withdrawal symptoms when discontinued. Common side-effects of benzodiazepines include, feeling drowsy or sleepy, dizziness, inability to concentrate, and lack of coordination. Abuse can intensify these effects and overdose can cause deep unconsciousness. Damage to the liver is also a potential risk in long-term use or misuse.

COCAINE/CRACK

Cocaine and crack stimulate the central nervous system and are extremely addictive. They can cause psychological and physical dependency. Symptoms of cocaine or crack use include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, paranoia, and seizures. Repeated users of cocaine can also experience restlessness, extreme excitability, and anxiety. Chronic users suffer loss of appetite and weight, dehydration, constipation, rapid tooth decay, and difficulty urinating. Death can also be the result of cocaine or crack use. People who inject cocaine intravenously are at increased risk of overdose and infection, including AIDS from the use of non-sterile needles. A real danger for all cocaine users is that it can quickly produce both physical and psychological addiction. Cocaine may be the most powerful of all illicit drugs in producing psychological dependency.

Crack is the name for free-base cocaine that has been processed into crystals. Because crack is smoked, the effects of the drug are immediate and intense. The immediate effect of crack may dramatically and dangerously increase blood pressure and heart rate. Crack users may develop a chronic sore throat and hoarseness; lung damage can result from continuous use. An acute overdose could result in a heart attack or respiratory arrest.

HEROIN

Heroin is a derivative of morphine. It is two-to-three times more potent as an analgesic pain reliever than morphine. Users of heroin experience euphoria and elevated sensory stimulation. Physical dependence is believed to develop very quickly. Health risks of heroin use include malnutrition caused by the drug's repression of hunger. The use of non-sterile needles to inject the drug can spread diseases such as AIDS. Heroin use can lead to overdose and possible death.

HALLUCINOGENS (PCP, LSD, ECSTASY)

Use of these drugs cause hallucinations (to see or hear things that aren't there). Hallucinogens interrupt the brain messages that control the intellect and instincts. Use of these drugs causes a distortion of reality that may cause individuals to ignore dangerous situations. Use of some hallucinogens may cause sudden bizarre changes in behavior that could include violent acts toward others, "rebound" effects such as loss of concentration and memory, or behavioral problems, even when the dose has worn off. Large doses can produce convulsions, coma, and heart and lung failure. Chronic users complain of persistent memory and speech difficulties for up to a year after use. Because these drugs stop the brain's pain sensors, hallucinogenic drug experiences may result in severe self-inflicted or other types of injuries.

ROHYPNOL

Rohypnol, a brand name for flunitrazepam, is generally in the form of white tablets and taken orally. Rohypnol is odorless and tasteless. It is known as the "date rape drug" because, when dropped into a drink, it causes blackouts which can lead to a potential rape situation. Only 10 minutes after ingesting Rohypnol, a person may begin to feel dizzy, disoriented, too hot and too cold, and nauseated. He/she then may have a difficult time speaking, followed by passing out. Sedation occurs 20-30 minutes after administration. A 2-mg tablet lasts approximately 8 hours. The person has no recollection of the events that occur while under Rohypnol's influence.

Other names for Rohypnol are roofies, rophies, ropies, ruffies, roche, la rocha, roachies, rope, R2, Mexican Valium, rib, roofenol, and robe.

Rohypnol is ten times stronger than Valium. Immediate effects include blackouts, amnesia, muscle relaxation, decrease in psychomotor performance, drowsiness, dizziness, disorientation, nausea, loss of inhibition, sense of fearlessness, and aggressiveness.

ALCOHOL ENERGY DRINKS

Alcohol energy drinks were banned in Michigan in 2010. Alcohol is a depressant, while caffeine is a stimulant. Combining the two causes the user to feel less impaired than he or she really is, and therefore more likely to feel sober enough to drive or continue to drink, raising the blood alcohol content to dangerous levels.

"BATH SALTS"

"Bath Salts," also known as "Ocean Snow," "Vanilla Sky," "White Lightning," and other names is a synthetic

powder that contains amphetamines. “Bath Salts” can be taken orally, by inhalation, or by injection. These present a high abuse and addiction liability. In 2011, “bath salts” have been linked to a large number of ER visits after users experienced symptoms of chest pain, high blood pressure, increased heart rate, agitation, hallucinations, extreme paranoia, and delusions.

PRESCRIPTION DRUG ABUSE

If you take a prescription drug that is not your own, other than prescribed, or to increase a feeling it causes, it is considered abuse. The risks most associated with prescription drug abuse are addiction and overdose. All prescription drugs have potential side effects, and there may be serious consequences when mixed with other drugs or taken when you have certain medical conditions.

The university provides counseling and referral services for students and faculty concerned about alcohol and drug abuse. A variety of community and county resources are also available to assist individuals who need help. Additional information and confidential assistance may be obtained by calling the Dean of Students at 487-7324.

TREATMENT FACILITIES

ASSESSMENT & REFERRAL SERVICE

Western U.P. Substance Abuse Service

Coordinating Agency & Assessment Service

902 W. Sharon Ave.

Houghton, MI 49931

906-482-7473

WUPSASCA is a private, non-profit, non-stock corporation designated to coordinate the delivery of comprehensive substance abuse prevention, treatment, and rehabilitation services, primarily through a contractual format with a network of service providers.

INPATIENT & OUTPATIENT TREATMENT

Phoenix House Office

57467 Waterworks Street

Calumet, MI 49913

906-337-0763

info@phoenixhouse.com

www.phoenixhouse.com

Great Lakes Recovery, Inc.

Marquette, MI 49855

1-888-457-2732

LOCAL COUNSELING SERVICES

Sarah Semmler Smith, Finlandia University Pastor

Chapel of St. Matthew

532 Franklin Street

Hancock, MI 49930

(906)-487-7239

Copper Country Community Mental Health

901 Memorial Drive

Houghton, MI 49931

Access Screening: 1-888-906-9060

Copper Island Behavioral Health
Thomas Collins, LMSW, LPC, CAAC
810 West Quincy St.
Hancock, MI 49930
906-482-9440
<https://cibhs.com/>

Dial Help, Inc. (counseling, driver's license restoration assessments, alcohol highway safety)
609 Sheldon Ave.
Houghton, MI 49931
906-482-9077
<http://www.dialhelp.org>

Indigo Creek Counseling Center
Kim Menzel, LMSW, ACSW
200 Michigan St. (Jutila Center)
Hancock, MI 49930
906-281-4852

Portage Psychological
540 Depot St. #156
Hancock, MI 49930
906-281-3459

Psychology Associates
Susan Donnelly, PhD, LP & Robert Sharkey, PhD, LP
56730 Calumet Ave.
Calumet, MI 49913
906-337-6839

SPECIALTY COUNSELING

Barbara Kettle Gundlach Shelter Home
Free shelter and/or counseling for abused women
P.O. Box 8
Calumet, MI 49913
906-337-5623

Rev. Kathryn Salmi, LPC, Christian Counseling
100 W. Quincy St.
Hancock, MI 49930
906-482-2231
<http://www.salmichristiancounseling.com>

SUPPORT GROUPS

Alcoholics Anonymous
906-482-7778
<https://www.coppercountryaa.org/>

Smart Recovery
906-337-2310

Equal Opportunity, Harassment and Nondiscrimination

CIVIL RIGHTS EQUITY GRIEVANCE RESOLUTION FOR ALL STUDENTS, FACULTY, AND STAFF:

POLICY AND PROCEDURES:

Equal Opportunity, Harassment and Nondiscrimination

Finlandia University affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. All policies below are subject to resolution using the University's Equity Grievance Process, as detailed below. The Equity Grievance Process is applicable regardless of the status of the parties involved, who may be members or non-members of the campus community, students, student organizations, faculty, administrators and/or staff. Finlandia University reserves the right to act on incidents occurring on-campus. The University also reserves the right to act on incidents occurring off-campus, when the off-campus conduct could have an on-campus impact or impact on the educational mission of Finlandia University.

The Director of Institutional Equity and Diversity serves as the Chief Equity Coordinator and oversees implementation of Finlandia University's Affirmative Action and Equal Opportunity plan and the University's policy on equal opportunity, harassment and nondiscrimination. Reports of discrimination, harassment and/or retaliation should be made to the Chief Equity Coordinator or Deputy Equity Coordinators promptly, but there is no time limitation on the filing of complaints. Note, however, that the institution's response may be more limited if the accused individual was a guest or is no longer subject to the University's jurisdiction. Reporting is addressed more specifically in Section 7: *Confidentiality and Reporting of Offenses Under This Policy*, below.

This policy applies to behaviors that take place on the campus, at Finlandia University-sponsored events and may also apply off-campus and to actions online when the Chief Equity Coordinator determines that the off-campus conduct affects a substantial University interest. A substantial University interest is defined to include, but is not limited to:

- a) Any action that constitutes criminal offense as defined by federal or state or local law. This includes, but is not limited to, single or repeat violations of any local, state or federal law committed in the municipality where Finlandia University is located;
- b) Any situation where it appears that the accused individual may present a danger or threat to the health or safety of self or others;
- c) Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- d) Any situation that is detrimental to the educational interests of the University.

e) Any online postings or other electronic communication, including cyber-bullying, cyberstalking, cyber-harassment, etc. occurring completely outside of university control (e.g. not on Finlandia University networks, websites or between Finlandia University email accounts) will only be subject to this policy when those online behaviors can be shown to cause a substantial on-campus disruption.

Inquiries about this policy and procedure may be made internally to:

Fredi deYampert
Title IX Coordinator
487-7301

Erin Barnett
Deputy Equity Coordinator
487-7324

Fredi deYampert
Deputy Equity Coordinator
487-7301

Inquiries may be made externally to:

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

Regional Office:
Office for Civil Rights, Cleveland Office
U.S. Department of Education,
600 Superior Avenue East, Suite 750
Cleveland, Ohio 44114-2611.
Phone: (216) 522-4970
Fax: (216) 522-2573
Email: OCR.Cleveland@ed.gov.

Equal Employment Opportunity Commission (EEOC)
Contact: <http://www.eeoc.gov/contact/>

TITLE IX SEXUAL HARASSMENT

FINLANDIA UNIVERSITY POLICY APPLIES TO:

Faculty, staff, students, student employees, graduate associates, appointees, volunteers, suppliers/contractors, and visitors

INTRODUCTION

Members of the University Community have the right to be free from all forms of Sexual Harassment. All members of the University Community are expected to conduct themselves in a manner that maintains an environment free from Sexual Harassment. As such, Finlandia University does not discriminate on the basis of sex and is committed to providing an educational environment free from sex discrimination.

As a recipient of federal funding, the University is required to comply with Title IX of the Higher Education Amendments of 1972, 10 U.S.C. § 1681 et seq. (Title IX). Title IX is a federal civil rights law that prohibits discrimination on the basis of sex—including pregnancy discrimination and Sexual Harassment—in educational programs and activities. Title IX’s sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity.

Sexual Harassment is defined broadly under this Sexual Harassment Policy (Policy). Sexual Harassment includes Sexual Assault, Sexual Harassment, Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, Sexual Exploitation, Sexual Misconduct with a Minor, Child Molesting, and sex discrimination, as defined below. Sexual Harassment is a violation of University policy, state and federal civil rights laws, and may violate state and federal criminal laws. When an allegation of Sexual Harassment is brought to an appropriate individual’s attention, and a Respondent is found to have violated this policy, the University will issue appropriate sanctions to prevent future misconduct.

The University reserves the right to take whatever measures it deems necessary in response to an allegation of Sexual Harassment in order to protect the rights and personal safety of Students, employees, and other members of the University Community. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the matter to local police. Not all forms of Sexual Harassment will be deemed to be equally serious offenses, and the University reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. The University will consider the concerns and rights of both the Complainant and the Respondent. This supersedes other University Policies.

Term	Definition
Actual Knowledge	Notice of Sexual Harassment or allegations of Sexual Harassment to a University’s Title IX Coordinator or any official of the University who has authority to institute corrective measures on behalf of the University. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute Actual Knowledge. This standard is not met when the only official of the University with Actual Knowledge is the Respondent. The mere ability or obligation to report Sexual Harassment or to inform a Student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the University. “Notice” includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. Examples of an Employee with authority to institute corrective measures on behalf of the University include deans, associate deans, vice presidents, coaches, Title IX Coordinator and deputy coordinators, hall directors, resident assistants, human resources staff, campus safety officers, administrators, and other employees as outlined Section III: Employee Duty to Report.
Appointee	An individual deemed to have an affiliation with the university in a non-compensatory capacity as designated in the applicable Human Resources Information System.

Complainant	Any person who is reported to have experienced conduct prohibited by this policy, regardless of whether that individual makes a report or participates in the review of that report by the university, and regardless of whether that person is a member of the University Community.
Consent	<p>Permission that is clear, knowing, voluntary, and expressed prior to engaging in and during an act. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as Consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.</p> <p>A. Consent to any one form of sexual activity can not automatically imply Consent to any other forms of sexual activity.</p> <p>B. Consent may be withdrawn at anytime.</p> <p>C. Previous relationships or prior Consent cannot imply Consent to future sexual acts; this includes “blanket” Consent (i.e., permission in advance for any/all actions at a later time/place).</p> <p>D. Consent cannot be given by an individual who one knows to be –or based on the circumstances should reasonably have known to be –substantially impaired (e.g., by alcohol or other drug use, unconsciousness, etc.).</p> <p style="padding-left: 20px;">i. Substantial impairment is a state when an individual cannot make rational, reasonable decisions because they lack the capacity to give knowing Consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).</p> <p style="padding-left: 20px;">ii. This also covers individuals whose substantial impairment results from other physical or mental conditions including mental disability, sleep, involuntary physical restraint, or from the consumption of alcohol or other drugs.</p> <p style="padding-left: 20px;">iii. Being impaired by alcohol or other drugs will never function as a defense for any behavior that violates this policy.</p> <p>E. It is the obligation of the person initiating the sexual activity to obtain Consent.</p> <p>F. An individual cannot Consent who has been coerced, including being compelled by force, threat of force, or deception; who is unaware that the act is being committed; or who is coerced by a supervisory or disciplinary authority.</p> <p style="padding-left: 20px;">i. Force: violence, compulsion, or constraint; physically exerted by any means upon or against a person.</p> <p style="padding-left: 20px;">ii. Coercion: the application of pressure by the Respondent that unreasonably interferes with the Complainant's ability to exercise free will. Factors to be considered include, but are not limited to, the intensity and duration of the conduct.</p> <p>G. A person who does not want to Consent to sex is not required to resist or verbally object.</p> <p>H. Withdrawal of Consent can be manifested through conduct and need not be a verbal withdrawal of Consent (i.e. crying, pulling away, pushing away, not actively participating, laying there, uncomfortable or upset facial expression).</p>

	I. Consent may not be given by an individual who has not reached the legal age of Consent under applicable law
Decision Maker	The administrator(s) who oversee(s) any hearing or appeal which takes place as part of the formal resolution process.
Formal Complaint	A complaint filed by the Complainant or the University that triggers the University’s full investigation and hearing process under Title IX.
Investigator	An individual assigned by the Title IX Coordinator to investigate the alleged Sexual Harassment and oversee the investigative hearing.

Respondent	Any member of the University Community who is reported to have engaged in conduct prohibited by this policy
Retaliation	Any adverse employment or educational action taken against a person because of the person’s participation in a complaint or investigation of discrimination or Sexual Harassment.
Sexual Harassment	The following constitute acts of Sexual Harassment under this policy: A. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct; B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or C. “Sexual assault” as defined in 20 U.S.C.1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).
Student	An individual to whom an offer of admission has been extended, paid an acceptance fee, registered for classes, or otherwise entered into another agreement with the university to take instruction. Student status lasts until an individual graduates, is permanently dismissed, or is not in attendance for two complete, consecutive terms, and includes those with a continuing educational relationship with the university; “Student” also includes registered Student organizations. A Student organization remains a “Student” for purposes of this policy for one calendar year following the expiration of the organization’s most recent registration. The university reserves the right to administer this policy and proceed with any process provided by this policy even if the Student withdraws from the university, is no longer enrolled in classes, or subsequently fails to meet the definition of a Student while a disciplinary matter is pending.
Title IX Coordinator	The designated university official with primary responsibility for coordinating the university’s compliance with Title IX. This individual provides leadership for Title IX activities; offers consultation, education, and training; and helps to ensure that the university responds appropriately, effectively, and equitably to all Title IX issues.
University Community	Faculty, staff, Students, student employees, graduate associates, Appointees, volunteers, suppliers/contractors, and visitors

POLICY DETAILS

I. SCOPE

A. Medium

- i. This policy applies to alleged Sexual Harassment in any medium. Sexual Harassment may manifest in many evolving forms including, but not limited to: physical, verbal, and visual, whether in person or online in any format.

B. Jurisdiction

- i. The University has a compelling obligation to address allegations and suspected instances of Sexual Harassment when it has Actual Knowledge that this policy has been violated. The University must inform the Respondent of the allegations and may take any further action it deems appropriate, including pursuing an investigation even in cases when the Complainant is reluctant to proceed. The Complainant will be notified in advance when such action is necessary.

- ii. The University's disciplinary response may be limited if the Respondent is a visitor or other third-party or is not subject to the University's jurisdiction.

C. Location

- i. This policy applies to alleged Sexual Harassment that takes place in a University's educational program or activity, against a person in the United States. This includes locations, events, or circumstances over which the University exercised significant control over both the Respondent and the context in which the Sexual Harassment occurred.

- ii. This policy also applies to alleged Sexual Harassment that occurs off-campus, including virtual spaces, in any building owned or controlled by a Student organization that is officially recognized by the University.

- iii. In situations not covered above, but where the Sexual Harassment undermines the security of the University Community or the integrity of the educational process or poses a serious threat to self or others, other applicable University procedures for general misconduct may be applied.

D. This policy is not intended for, and will not be used to, infringe on academic freedom or to censor or punish members of the University Community who exercise their legitimate First Amendment rights.

E. Policy Maintenance

- i. This policy is managed by the Title IX Coordinator.
- ii. This policy and the associated procedures will be revised by the Title IX Coordinator and Deputy Title IX Coordinators.

II. RECEIVING SUPPORTIVE MEASURES

A. Members of the University Community impacted by Sexual Harassment are encouraged to use counseling and support services, listed in the Resources section.

III. EMPLOYEES WITH AUTHORITY TO INSTITUTE CORRECTIVE MEASURES

A. The University designates certain employees who have the authority to institute corrective measures on its behalf. Under this policy, their knowledge of Sexual Harassment conveys Actual Knowledge to the University.

B. The following employees have been designated by the University as having the authority to initiate corrective measure on its behalf:

- i. Title IX Coordinator and Deputy Title IX Coordinators
- ii. President of the University/Institution
- iii. Dean of Students

- iv. Director of Campus Safety and Security
- v. Director of Athletics
- vi. Director of Residence Life

C. When one of the above employees learns of alleged sexual harassment, that employee should contact the Title IX Coordinator as soon as possible.

D. Employees may have additional reporting obligations provided by law and/or other University policies.

E. Corrective action may be taken against any individual who has a duty to report and who fails to respond in a manner consistent with the provisions of applicable laws, regulations, policies, and procedures

IV.EMPLOYEE DUTY TO REPORT

All University employees have reporting responsibilities to ensure the University can take appropriate action.

A. All University employees, except those exempted by legal privilege of confidentiality or expressly identified as a confidential reporter, have an obligation to report incidents of Sexual Assault. Any employee who receives a disclosure of Sexual Assault or becomes aware of information that would lead a reasonable person to believe that a Sexual Assault may have occurred involving anyone covered under this policy, must report all known information immediately.

B. In addition to the requirement of reporting incidents of Sexual Assault, the following members of the University Community have an additional obligation to report all other incidents of Sexual Harassment, when they receive a disclosure of Sexual Harassment or become aware of information that would lead a reasonable person to believe that Sexual Harassment may have occurred involving anyone covered under this policy. These individuals must report the incident within five workdays of becoming aware of such information:

- i. Executive leadership;
- ii. Deans, directors, department heads/chairs (including those serving in assistant or associate roles);
- iii. Supervisors who have hiring or firing power over employees who are not Student employees;
- iv. Faculty;
- v. Staff who serve as advisors to or coaches of University-recognized Student groups;
- vi. Any individual, whether an employee or not, who serves as a coach of a club sports team;
- vii. All individuals, including Student-employees (such as Resident Advisors) working in Student Affairs, the Campus Safety and Security, Intercollegiate Athletics, and Office of Equity, except those who serve in non-supervisory positions in dining services, clerical, or custodial/maintenance capacities;
- viii. Campus Security Authorities designed by the University under the Clery Act not otherwise specified in this provision; and
- ix. Individuals serving in any of the positions described above on an acting or interim basis.

C. Employees are not required to report disclosures of information regarding Sexual Harassment pursuant to this policy in the following circumstances, unless an individual covered under this policy is implicated or the individual is explicitly seeking assistance from the University:

- i. At public survivor support events including, but not limited to: “Take Back the Night,” candlelight vigils, protests, and survivor speak-outs;

- ii. To Student-employees when they are operating outside of their official work capacity; or
- iii. During an individuals' participation as a subject in an Institutional Review Board (IRB)-approved human subjects research protocol.

D. Employees with a duty to report should refer to the chart in Reporting Allegations of Sexual Harassment. Contacting the Title IX Coordinator in the Office of Academic Affairs to share all known information will satisfy the employee duty to report.

E. Employees may have additional reporting obligations provided by law and/or other University policies.

F. The following categories of employees are exempt from the duty to report Sexual Assault and other Sexual Harassment, due to their legal or professional privilege of confidentiality or their designation by the University as a confidential reporter:

i. Professional and pastoral counselors

a) A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the University Community and who is functioning within the scope of that license or certification and their university employment.

1. This definition applies even to professional counselors who are not employees of the university but are under contract to provide counseling at the university.

2. This also includes an individual who is not yet licensed or certified as a counselor but is acting in that role under the supervision of an individual who is licensed or certified (e.g., a Ph.D. counselor-trainee acting under the supervision of a professional counselor at the university).

b) A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition and their role at the university.

ii. Other employees with a professional license requiring confidentiality who are functioning within the scope of that license or certification and their university employment.

a) For example, a nurse practitioner with a dual appointment as a clinician and professor would be required to report instances of Sexual Harassment of which they become aware in the scope of their employment as a professor, but must keep such information confidential and privileged if learned in the scope of their duties as a nurse unless there is a mandatory reporting requirement under state law.

G. Corrective action may be taken against any individual who has a duty to report and who fails to respond in a manner consistent with the provisions of applicable laws, regulations, policies, and procedures.

V. REPORTING ALLEGATIONS OF SEXUAL HARASSMENT

A. Any person may report sexual harassment. By way example, this includes:

i. Students

ii. Employees

iii. Parents

iv. Any University Community member or other individual who is directly involved in, observes, or reasonably believes that Sexual Harassment may have occurred.

B. Reports can be made to the Title IX Coordinator in the following ways:

i. In-Person: Mannerheim 150

ii. Mail: 601 Quincy Street; Hancock, MI 49930

- iii. Phone:906-487-7301
- iv. Email: fredy.deyampert@finlandia.edu
- v. Online: <https://www.finlandia.edu/student-affairs/report-an-incident/>

B. Making a report to the University and to law enforcement are mutually exclusive events. Making a report to the University does not preclude the individual from filing a report of a crime with law enforcement nor does it extend time limits that may apply in criminal processes. Filing a report with law enforcement is not a prerequisite of making a report with the University. However, individuals may request assistance from the Title IX Coordinator or designee to notify law enforcement.

Agency	Contact Information
Hancock City Police	(906)-482-3102
Michigan State Police	(906)-337-5145
Houghton County Sheriff	(906)-482-0055

VI. CONFIDENTIALITY AND PRIVACY

Every effort is made by Finlandia University to preserve the privacy of reports. Finlandia University will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Finlandia University reserves the right to designate which University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Finlandia University may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk, but will usually consult with the student first before doing so.

A. The University recognizes the importance of confidentiality and privacy. See the Resources section for a list of confidential support, non-confidential support, and medical resources. Information received in connection with the reporting, investigation, and resolution of allegations will be treated as private and will only involve individuals whom the University determines are necessary to conduct an appropriate investigation, to provide assistance and resources to parties, to perform other appropriate University functions, or when the University is required to provide information under the law.

B. If an incident is disclosed or reported to the University and the individual requests that no investigation be conducted or disciplinary action be taken, the Title IX Coordinator or designee will explain that the University prohibits Retaliation and explain the steps the University will take to prevent and respond to Retaliation if the individual participates in a resolution process. The Title IX Coordinator or designee will evaluate the request to determine whether the University can honor the request while still providing a safe and nondiscriminatory environment.

C. A decision to proceed despite an individual's request will be made on a case-by-case basis after an individualized review, and the Complainant will be notified if such a decision is made. If the University

proceeds with an investigation, the Complainant is under no obligation to proceed as a part of the investigation.

D. All individuals involved in the process should observe the same standard of discretion and respect for everyone involved in the process.

VII. RETALIATION

It is prohibited for Finlandia University or any member of Finlandia's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Charges against an individual for code of conduct violations that do not involve discrimination or harassment but arise out of the same facts or circumstances as a report or complaint of discrimination or sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

A. Retaliation is prohibited by University policy and law. The University will not tolerate Retaliation in any form against any individual who makes an allegation, files a report, serves as a witness, assists a Complainant, or participates in an investigation of discrimination or harassment.

B. Retaliation is a serious violation that can subject the offender to discipline, up to and including termination of employment and/or suspension or dismissal of a Student, independent of the merits of the underlying allegation.

C. Allegations of Retaliation should be reported to the Title IX Coordinator.

VIII. INVESTIGATION AND RESOLUTION OPTIONS

A. Initial Assessment

Following intake, receipt of notice, or a complaint of an alleged violation of Finlandia University's Title IX and Sexual Harassment Policy, the Title IX Coordinator engages in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

B. The Title IX Coordinator reaches out to the Complainant to offer supportive measures.

C. The Title IX Coordinator works with the Complainant to ensure they have an Advisor.

D. The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and/or remedial response or a Formal Resolution.

i. If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. The Formal Resolution process is not initiated, though the Complainant can elect to initiate it later, if desired.

ii. If an Informal Resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may

serve the situation best or is available and may seek to determine if the Respondent is also willing to engage in Informal Resolution.

iii. If Formal Resolution is preferred, the Title IX Coordinator initiates the investigation process and determines whether the scope of the investigation will address:

- i. Incident, and/or
- ii. A potential pattern of misconduct, and/or
- iii. A culture/climate issue.

E. Informal Resolution

i. Informal resolution may be utilized in some circumstances if the University deems appropriate and both parties agree to it. Informal resolution is typically used for less serious offenses and only when all parties agree to resolution, or when the Respondent is willing to accept responsibility for violating policy. This can also include a remedies-only response.

F. Investigative and Formal Resolution

The Title IX Coordinator may resolve a report of Sexual Harassment through investigative resolution when the alleged Sexual Harassment, if true, would be prohibited under applicable University policy. In instances when informal resolution is inappropriate, when the party requests, or when the University requires formal investigation, the University will consider the concerns and rights of all parties and provide a prompt, fair, impartial, and equitable process.

The investigation and the subsequent Formal Resolution determine whether the nondiscrimination policy has been violated. If so, Finlandia University will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects.

IX. REMEDIES

A. When the University makes a finding of a policy violation, it will take steps, whether individual or systemic, to stop the alleged Sexual Harassment, prevent its recurrence, and remedy the discriminatory effects on the Complainant and others, as appropriate.

B. Corrective Actions/Sanctions

i. When the Respondent is a Student, potential sanctions include formal reprimand, disciplinary probation, suspension, dismissal, and other appropriate educational sanctions.

ii. When the Respondent is an employee, corrective actions may be taken pursuant to the University Equity and Diversity Policy, Employee or Faculty Handbook, NCAA Manual or Union handbook. Disciplinary corrective actions include coaching, development plans, reduction in supervisory duties and leadership responsibilities, changes in salary, termination, and other appropriate corrective actions.

iii. Student employees may be subject to corrective action and sanctions under Student and/or employee policies depending on the nature of the case. For instance, a Student employee who is dismissed from the university may also be subject to termination or other corrective actions.

C. Any corrective actions or sanctions will not take effect until any appeals have been completed.

D. Interim Supportive Measures

i. Supportive measures will be made available to both the Complainant and Respondent whether or not a Formal Complaint is filed to ensure equal access to the University's education and employment programs and activities. The Title IX Coordinator or designee will conduct an individualized assessment and will review requests from Complainant and Respondent to determine supportive measures that are appropriate and reasonably available at no cost to the Complainant or Respondent. Supportive measures may include, but are not limited to:

- a. No contact directives;
- b. Referral to campus and community resources for victim advocacy, counseling, health services, legal assistance, immigration assistance, disability services;
- c. Academic support including extensions of time and other course-related adjustments;
- d. Modification of work or class schedules;
- e. Change in work or housing locations;
- f. Change in reporting relationship;
- g. Consideration of leave requests; and
- h. Assistance with academic petitions.

ii. During the period of any investigation a Respondent can be put on administrative leave if they are an employee of the University. If the Respondent is a Student of the University, they may be removed from educational activities following an individualized safety and risk analysis determines that the Respondent poses an imminent threat to the physical health or safety of anyone due to the allegations made. If a Student is removed from educational activities in this way, they have the right to challenge the determination of the safety and risk analysis.

iii. The Title IX Coordinator or designee will coordinate the provision of interim supportive measures. Parties will not be required to arrange such measures by themselves but may need to participate in communication with supervisors, faculty, and other University employees with a need to know.

iv. The University will maintain as confidential any supportive measures provided to the Complainant or Respondent to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

E. Other Remedial Measures

i. When the university is unable to proceed with investigative resolution, such as lack of information in the report or request by the Complainant that an investigation not move forward, the university may take other remedial measures as appropriate to remedy the effects of the alleged Sexual Harassment and/or prevent its recurrence. Remedial measures may also be implemented when it is determined that inappropriate behavior occurred, but that the behavior did not rise to the level of a policy violation.

- ii. Remedial measures may include and are not limited to:
- a. Providing training on Sexual Harassment;
 - b. Increasing security in a designated space;
 - c. Changing policy or procedure; and
 - d. Conducting climate checks.

X.FALSE ALLEGATIONS

A. It is a violation of this policy for anyone to make a false allegation of Sexual Harassment in bad faith. Corrective actions or sanctions may be imposed on individuals who in bad faith make false allegations of Sexual Harassment.

B. The absence of a finding of a policy violation is not equivalent to finding that the Complainant acted in bad faith.

XI.PROCESS ABUSE

- A. No member of the University Community may:
- i. Obstruct, prohibit, exert improper influence over, or interfere with any individual making a report, participating in a process, or carrying out a responsibility covered by this policy;
 - ii. Make, in bad faith, materially false statements in or related to a process covered by this policy;
 - iii. Disrupt or interfere with the orderly conduct of any proceeding conducted under this policy; or
 - iv. Fail to comply with any directive, sanction, or corrective action issued pursuant to this policy.

XII. TRAINING

A. All faculty, staff, Student employees, and Students are required to take annual Sexual Harassment training as directed by the university.

PROCEDURE

I. INITIAL ASSESSMENT

- A. Upon receiving a report, the Title IX Coordinator will provide information to the Complainant on the availability of supportive measures, the right to file a Formal Complaint, and how to file a Formal Complaint.
- B. The Title IX Coordinator reviews all reports of Sexual Harassment under this policy under the direction of the Title IX Coordinator or designee for an initial assessment of the reported information. Available resolution options will be guided by the availability of information and evidence suggesting that a policy violation may have occurred; the University's obligation to investigate and provide appropriate remedies to eliminate, prevent, and address the effects of the prohibited conduct; and the availability or desire of the Complainant to participate in an investigation or other resolution.
- C. Upon completion of an initial assessment, the Title IX Coordinator or designee will determine the available options for resolution and will communicate these options to the parties.
- D. If the Complainant or the University elects to file a Formal Complaint, the Title IX Coordinator will provide written notice to the Respondent within ten days including:
- i. The actual allegations of facts that constitute Sexual Harassment and any evidence that supports this;
 - ii. That there is a presumption of innocence in their favor;
 - iii. That all parties are entitled to an advisor of their choice;
 - iv. That all parties can inspect and review evidence; and,
 - v. Information regarding any code of conduct provisions that prohibit false statements made in bad faith.

II. DISMISSAL OF A COMPLAINT

A. In the event that prior to, or in the course of, an investigation, the University determines that the allegations fail to meet the definition of Sexual Harassment or did not occur while in the United States and under the University's educational program or activity, the investigation and Formal Complaint will be dismissed. Formal Complaints may still be resolved through an informal resolution process as outlined above or according to procedures set forth in the Student Code of Conduct.

- B. The University reserves the right to dismiss the Formal Complaint and stop the investigation if:
- i. The Complainant notifies the Title IX Coordinator in writing that they wish to withdraw their Formal Complaint;
 - ii. The Respondent is no longer enrolled in or employed by the University; or
 - iii. Specific circumstances prevent the school from gathering sufficient evidence to reach a determination about allegations (e.g. lack of participation in the investigative process by parties or witnesses).
- C. If the University dismisses the Formal Complaint for any reason, either party may appeal the decision as outlined in this policy's appeals process.

III. INFORMAL RESOLUTION

- A. Informal resolution may be utilized in some circumstances if a Formal Complaint is filed.
- B. The usage of an informal resolution process is limited in a number of ways:
- i. Informal resolution is unavailable if the Respondent is an employee of the school.
 - ii. Informal resolution may only be used if any and all parties to an investigation agree to it.
- C. In all cases, the University will inform the parties of the right to end the informal resolution process at any time. If a party chooses to end the informal resolution process, the University will inform the Complainant of options, including the option to begin the investigative resolution process.
- D. The University will provide a facilitator, mediator, or decision-maker that is free from conflicts of interest and has received special training (found at <https://www.finlandia.edu/student-affairs/title-ix-office/>) in order to facilitate resolution of the Formal Complaint.
- E. Informal resolution can take any form that the parties agree upon. The Title IX Coordinator or designee will work with the parties to develop a form of resolution that adequately resolves the needs of the parties. This may include:
- i. *Facilitated Dialogue*: A structured and facilitated conversation between two or more individuals, including, but not limited to the Complainant and the Respondent, which allows for voices to be heard and perspectives to be shared. Depending on stated interests, participants may work towards the development of a shared agreement.
 - ii. *Shuttle Mediation*: An indirect version of the facilitated dialogue.
 - iii. *Circle of Accountability*: A facilitated interaction between the Respondent and University faculty and/or staff designed to provide accountability, structured support, and the creation of an educational plan.
- F. Depending on the form chosen, it may be possible for a Complainant to maintain anonymity throughout the informal resolution process.
- G. As part of the resolution process, additional measures (including, but not limited to educational programming, training, regular meetings with an appropriate university individual or resource, extensions of no contact orders, or counseling sessions) may be agreed upon.

IV. FORMAL RESOLUTION & HEARINGS

- A. Finlandia University may resolve a report of Sexual Harassment through its formal resolution process when the alleged Sexual Harassment, if true, would be prohibited under applicable University policy. In

instances when informal resolution is inappropriate, when any party requests, or when the University requires formal investigation, the University will consider the concerns and rights of all parties and provide a prompt, fair, impartial, and equitable process.

B. Investigation

i. Following the filing of a Formal Complaint, an Investigator will be assigned to the case by the Title IX Coordinator. During the investigation, the Investigator will seek to meet separately with the Complainant, Respondent, and any relevant witnesses who may have information relevant to the incident. The Investigator may also gather or request other relevant information or evidence when available and appropriate. Both the Complainant and Respondent will be asked to identify witnesses and provide other relevant information in a timely manner to facilitate prompt resolution of the case. All investigations are done by full-time Finlandia employees.

ii. Although both the Complainant and Respondent are advised to participate in the investigation process to enable a fair and equitable resolution to any case, neither the Complainant nor the Respondent are required to participate in the investigation process.

iii. Formal Complaints of sexual harassment may be consolidated were the allegations arise out of the same facts or circumstances.

iv. During the investigation process, parties have an equitable right to:

a. Receive notice of the allegations before participating in an interview with sufficient time to prepare for meaningful participation;

b. A process with reasonably prompt timeframes, with extensions for good cause, as described in the Procedure section below;

c. Present relevant information to the Investigator, including evidence and witnesses;

d. Receive timely and equal access to any relevant information, documentation, and evidence gathered during the investigation;

e. Have an advisor of their choosing, or through appointment by the University, including an attorney, advocate, or other support person who is not a potential witness in the investigation or could otherwise compromise the investigation, who provides support throughout the formal resolution process, including being present for any meetings or hearings; and

f. Investigators who are adequately trained to resolve cases of alleged Sexual Harassment, are familiar with applicable policies and procedures, and who do not have a conflict of interest or bias for or against either party.

v. The University must provide a written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings to all parties whose participation is invited or expected with sufficient time for the party to prepare to participate.

vi. The University will not restrict the ability of a Complainant or Respondent to discuss the allegations under investigation or to gather and present relevant evidence.

vii. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.

viii. Following the completion of the investigation, the Investigator will complete an investigative report on the allegations contained in the Formal Complaint. Before the report is finalized, the Investigator will send to each party and their advisors an electronic or hard copy of all evidence that is directly related to the allegations. The University must include all evidence directly related

to the allegations, even if the investigator does not intend to rely on that evidence in making a determination of responsibility. The parties then have at least ten days to provide a written response, which the Investigator will consider before finalizing the investigative report. The finalized report is then circulated for no less than ten days before a hearing is held.

C. Hearings

i. All hearings are overseen by a Decision Maker(s). All Decision Maker(s) have received special training on how to be impartial and are assigned to cases by the Title IX Coordinator to avoid any bias and present an objective analysis of the evidence. In no case is the Investigator for a given case also the Decision Maker(s).

ii. The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the investigation and hearings.

iii. The Decision Maker(s) will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived it.

iv. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.

v. Hearings are not legal proceedings and do not follow courtroom procedure or the formal rules of evidence. During any hearings, each party must have an advisor present to ask questions to the other party. This advisor does not need to be licensed to practice law and may be a person of the party's choice or, if they do not have an advisor, the University will provide an advisor for them. Finlandia's appointed advisor may be either a staff or faculty member.

vi. Role of the Advisor

a. Finlandia University generally expects an Advisor to adjust their schedule to allow them to attend Finlandia University meetings when planned, but Finlandia University may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

b. Finlandia University may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

c. Parties whose Advisors are disruptive or who do not abide by Finlandia policies and procedures may face the loss of that Advisor and/or possible Policy violations.

d. Advisors are expected to consult with their advisees without disrupting Finlandia University meetings or interviews. Advisors do not represent parties in the process; their role is only to advise.

vii. Expectations of the Parties with Respect to Advisors

a. Each party may choose an Advisor who is eligible to accompany them throughout the process. The Advisor can be anyone, including an attorney, but should not be someone who is also a witness in the process. A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout.

b. The parties are expected to inform the Investigators of the identity of their Advisor at least two (2) business days before the date of their first meeting with the Investigator(s) (or as soon as possible if a more expeditious meeting is necessary or desired).

c. The parties are expected to provide timely notice to the Investigator(s) and/or the Title IX Coordinator if they change Advisors at any time.

d. Upon written request of a party, Finlandia University will copy the Advisor on all communications between the University and the party. The Advisor may be asked to sign a non-disclosure agreement (NDA) regarding private, sensitive records.

viii. Assistance in Securing an Advisor

For representation, Respondents may wish to contact organizations such as:

a. FACE (facecampusequality.org)

b. SAVE (saveservices.org)

Complainants may wish to contact organizations such as:

c. The Victim Rights Law Center (victimrights.org)

d. The National Center for Victims of Crime (victimsofcrime.org), which maintains the Crime Victim's Bar Association

e. The Time's Up Legal Defense Fund (nwlc.org/times-up-legal-defense-fund/)

ix. Questioning & Cross-Examinations

a. The Decision Maker(s) may question individual parties and witnesses.

b. Parties will have the opportunity to cross-examine the party or witness. Parties may never ask questions directly, and questions must be asked to the other party through the use of a party's advisor. All questions asked must be relevant. Any questions determined not to be relevant by the Decision Maker(s) are not required to be answered.

c. If a party or witness is absent from the live hearing or refuses to answer cross-examination or other questions, the Decision Maker(s) may not rely on any statement of that person in reaching a determination of responsibility. The Decision Maker(s) may not draw an inference about the determination regarding responsibility based solely on a party's or witness' absence from the live hearing or refusal to answer cross-examination or other questions.

x. If, at any point during the hearing, the Decision Maker(s) determines that unresolved issues exist that could be clarified through additional investigation time, the Decision Maker(s) may suspend the hearing and reconvene it in a timely manner that accommodates further investigation.

xi. Hearings may be conducted virtually through the use of technology at the University's discretion. However, if either the Complainant or Respondent asks to be in separate rooms, the University must grant this request and provide appropriate technology to allow for simultaneous participation.

xii. All hearings will be memorialized through an audio or audiovisual record or transcript of the live hearing. The recording or transcript will be made available for parties to inspect and review following their completion.

D. Resolution

Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with Finlandia University Policy.

While there is an expectation of privacy around what is discussed during interviews, the parties have discretion to share their own experiences with others if they so choose, but are encouraged to discuss with their Advisors first before doing so.

i. The Decision Maker(s) will communicate his or her decision to both parties, concurrently. The Decision Maker(s) will communicate the decision in writing and orally as soon as possible after the hearing. In all cases, the Decision Maker(s) will send the parties a final outcome letter within ten days of the conclusion of the hearing.

ii. The Decision Maker(s) bases all conclusions by examining all evidence from the investigation and the hearing. Their conclusion is based on the preponderance of the evidence standard: If the evidence indicates that it is more likely than not that Respondent committed the alleged act(s), then the Respondent will be found responsible for violating this policy.

iii. The Decision Maker(s)'s written decision must include the following information:

a. Identification of the allegations potentially constituting Sexual Harassment;

b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

c. Findings of fact supporting the determination;

d. Conclusions regarding the application of the University's code of conduct to the fact;

e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctioned imposed upon the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided; and

f. The procedures and permissible bases for either party to appeal.

iv. If the Respondent is found responsible for violating this policy, the Decision Maker will consult with The Title IX Coordinator, Chair of the Board of Student Conductor designee, or the Dean of Students or designee, in order to determine the corrective actions and/or sanctions to resolve the case. Any such corrective actions and/or sanctions will be outlined in the Decision Maker(s)'s written decision.

V. APPEALS PROCESS

A. If either party disagrees with the outcome of the Decision Maker(s)'s determination, they may file a written appeal with the Title IX Coordinator within ten days of receiving the Decision Maker(s)'s written decision.

B. Appeals may be filed due to:

i. A procedural irregularity that affected the outcome.

ii. New evidence being discovered that was not reasonably available at the time of the determination or dismissal.

iii. A conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter of the Investigator or investigator(s), or decision-maker(s).

C. Chair of the Board of Student Conduct will examine all evidence in order to determine if the appeal has merit. The Chair of the Board of Student Conduct will make an unbiased objective conclusion as to the appeal's merit and issue a written decision describing the result of the appeal and the rationale for the result; and will provide the written decision simultaneously to both parties.

VI. RECORDKEEPING

A. The University shall maintain all records relating to Formal Complaints of Sexual Harassment, as well as all training materials used under this Policy, for seven years.

RESOURCES

Support Resources

Community Served	Scope / Purpose	Office / Agency	Contact Information	Confidentiality
Employees	Provides life assistance for an array of personal, work-related, and daily living challenges for benefits-eligible employees and family members	Employee Assistance Program	Northstar EAP (906)225-3145 https://northstareap.com/appointments/	Confidential
All members of the University Community	Coordinates Title IX compliance; leads Title IX activities; provides education and training	Title IX Coordinator	Fredi de Yampert (906)487-7301 fredi.deyampert@finlandia.edu	Non-Confidential
Anyone	Responds to criminal conduct on campus	Campus Security	(906)487-7307	Non-Confidential

Medical Resources

Community Served	Scope / Purpose	Office / Agency	Contact Information	Confidentiality
Students	Outpatient facility; provides a variety of health care services	Student Health Center	Cindy Blake (906)487-7323 cindy.blake@finlandia.edu	Confidential
Anyone	24/7 medical services	Emergency Room	911	Confidential

Contacts

Subject	Office	Telephone	Email/URL
Policy Questions	Dean of Students	(906)487-7324	erin.barnett@finlandia.edu
To Make a Report	Title IX Coordinator	(906)487-7324	fredi.deyampert@finlandia.edu
Title IX Questions	Title IX Coordinator	(906)487-7301	fredi.deyampert@finlandia.edu

[See Appendix A for the state of Michigan's definition of consent]

[See Appendix B for the state of Michigan's definition of domestic violence]

The state of Michigan has its own definition of domestic violence, which is applicable to criminal prosecutions for domestic violence offenses, but may differ from the definition used on campus to address policy violations.

[See Appendix C for the state of Michigan's definition of stalking]

The state of Michigan has its own definition of stalking, which is applicable to criminal prosecutions for stalking offenses, but may differ from the definition used on campus to address policy violations.

This policy and procedure was implemented in October 2020.

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APPENDIX A:

State of Michigan Definition of Consent

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.520i Resistance by victim not required.

Sec. 520i.

A victim need not resist the actor in prosecution under sections 520b to 520g.

History: Add. 1974, Act 266, Eff. Apr. 1, 1975

Compiler's Notes: Section 2 of Act 266 of 1974 provides: "Saving clause. "All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or begun before the effective date of this amendatory act."

<http://www.legislature.mi.gov/%28S%28o55xmxntzf3kod45kgutes45%29%29/mileg.aspx?page=getObject&objectName=mcl-750-520i&highlight=rape>

APPENDIX B:

State of Michigan Definition of Domestic Violence

Defined in Criminal Laws

Citation: Comp. Laws §§ 750.81; 750.81a

An individual who assaults or assaults and batters his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household is guilty of a misdemeanor.

An individual who commits an assault or an assault and battery and who has two or more previous convictions for assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household is guilty of a felony.

An individual who assaults his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of the same household without a weapon and inflicts serious or aggravated injury upon that individual without intending to commit murder or to inflict great bodily harm less than murder is guilty of a misdemeanor.

An individual who commits an aggravated assault and battery and who has one or more previous convictions for assaulting or assaulting and battering his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of the same household is guilty of a felony.

Persons Included in the Definition

Citation: Comp. Laws § 400.1501

'Family or household member' includes any of the following:

- A spouse or former spouse
- An individual with whom the person resides or has resided
- An individual with whom the person has or had a dating relationship
- An individual with whom the person is or has engaged in a sexual relationship
- An individual to whom the person is related or was formerly related by marriage
- An individual with whom the person has a child in common
- The minor child of an individual described above

'Dating relationship' means frequent, intimate associations primarily characterized by the expectation of affectional involvement. 'Dating relationship' does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context.

https://www.childwelfare.gov/systemwide/laws_policies/state/index.cfm?event=stateStatutes.processSearch

APPENDIX C:

State of Michigan Definition of Stalking

MCLS § 750.411h. Stalking; definitions; violation as misdemeanor; penalties; probation; conditions; evidence of continued conduct as rebuttable presumption; additional penalties. (1998)

(1) As used in this section:

(a) "Course of conduct" means a pattern of conduct composed of a series of 2 or more separate non-continuous acts evidencing a continuity of purpose.

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

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

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

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

(i) Following or appearing within the sight of that individual.

(ii) Approaching or confronting that individual in a public place or on private property.

(iii) Appearing at that individual's workplace or residence.

(iv) Entering onto or remaining on property owned, leased, or occupied by that individual.

(v) Contacting that individual by telephone.

(vi) Sending mail or electronic communications to that individual.

(vii) Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual.

(f) "Victim" means an individual who is the target of a willful course of conduct involving repeated or continuing harassment.

<https://members.victimsofcrime.org/our-programs/past-programs/stalking-resource-center/stalking-laws/civil-stalking-laws-by-state/michigan>

ON CAMPUS SUPPORT SERVICES

The Director of Academic Success and Student Life

Call 487-7324 or ext. (324) on-campus. Mannerheim 114

The Director of Academic Success and Student Life office serves a primary role in advocating on behalf of students and helping students to make meaningful connections to the campus community. Support is provided through the identification of resources and support services for students. In addition, The Office of Academic Success and

Student Life assists with identifying opportunities for student involvement at the university, fostering student leadership development, and promoting student participation in campus life. The programs and services offered through this office include: the Orientation Leader Program, New Student Orientation, First-Year Experience, Residence Life, student activities and governance, Academic Support, tutoring, student handbook, and counseling.

University Pastor

Call 487-7239 or ext. (239) on-campus. The University Pastor is available to give support through such a crisis.

Department of Campus Safety and Security

Call 487-7307 or ext. (307) on-campus. The director of DCSS or designee will assist victims by contacting the support person of their choice, provide transportation to a medical facility or other appropriate agencies, contact the Hancock city police and protect the crime scene. The director of DCSS will also advise victims of other options, such as legal contacts and support agencies.

The Department of Campus Safety and Security will promptly assist and cooperate with law enforcement agencies by investigating, safeguarding, collecting, and preserving evidence pertaining to sexual assaults occurring on campus. They will also notify the campus community when a rape or assault is reported on or near the campus. This will enable the community to take appropriate preventive steps to deter future incidents of sexual assault. The Department of Campus Safety and Security will not identify the victim or disclose information pertaining to the offense. Finlandia University will strive to balance its concern for the welfare of victims of sexual assault and fulfill its duty to warn members of the campus community when serious crimes are reported.

ON-CAMPUS PREVENTION PROGRAMS

The Director of Institutional Equity and Diversity or the Department of Campus Safety and Security can provide information concerning prevention programs. Information sessions are provided during the year and at orientation. Topics range from sexual assault, acquaintance rape, crime/assault prevention, bystander intervention and other personal safety topics. The university will support any victim of sexual assault by working with the student or employee in any capacity necessary and appropriate. This may include: contacting law enforcement authorities, providing transportation to the hospital, providing alternative classes or housing if feasible and necessary in order to avoid contact with the assailant, notifying one's academic advisor.

A victim of sexual assault may use any of the on-campus support mechanisms listed below without choosing to press charges or file a formal complaint with the Department of Campus Safety and Security, and/or the Hancock city police. The earlier the incident is reported and evidence is collected, the better the chance for prosecution and conviction. It is important that survivors seek psychological support as well as medical attention.

If you would like more information regarding options for medical care, reporting an incident, filing criminal charges, filing internal complaints, or for counseling, please contact the director of DCSS or the university chaplain. Any of these people can anonymously refer a victim to a support person or agency.

WEAPONS

No student shall keep, possess, display, use, or carry any weapon on the campus of Finlandia University. Weapons include, but are not limited to, knives with a blade three inches or larger; rifles; shotguns; handguns; BB and/or pellet guns; cross bows; bows and arrows; martial arts weapons; paint, splat ball, and water guns; or other lethal or dangerous devices capable of casting a projectile by air, gas, explosives, or other mechanical means. Weapons used for recreational purposes may be registered and stored in the Department of Campus Safety and Security office at the discretion of the director of the Department of Campus Safety and Security and must be transported directly from the Department of Campus Safety and Security office to points outside the campus of Finlandia University and transported directly back from such points to the Department of Campus Safety and Security office. The means of transportation must be in accordance with the Department of Campus Safety and Security office instructions and the weapon(s) transported must be unloaded, and when possible, encased, dismantled, or broken down. Finlandia University and Department of Campus Safety and Security are not responsible for lost, damaged, or stolen items

CAMPUS AND PUBLIC CRIME STATISTICS

Campus Security prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) (20 USC § 1092). The definitions for these crimes are taken from the FBI's Uniform Crime Reporting Program (UCR), as modified by the Hate Crimes Act and the Higher Education Act.

- **Criminal Homicide** –The willful killing of one person by another
- **Manslaughter by Negligence** –The killing of another person through gross negligence.
- **Sex Offenses:**
 - a. A forcible sex offense is any sexual act directed against another person forcibly and/or against that person's will or where the victim is incapable of giving consent.
 - b. Non-forcible sex offenses are acts of "unlawful, non-forcible sexual intercourse" and include incest and statutory rape.
- **Aggravated Assault** –An unlawful attack for the purpose of inflicting severe or aggravated bodily injury. Offense usually accompanied by a weapon or by means likely to produce great bodily harm.
- **Burglary** –Unlawful entry into a building with intent to commit a felony or theft. Forced entry not required if entry was unlawful, such as a trespass.
- **Robbery** –Taking or attempting to take anything of value from a person by force or threat of force.
- **Motor Vehicle Theft** –The theft or attempted theft of a motor vehicle.
- **Arson** –Any willful burning or attempt to burn the property of another.
- **Alcohol Violations** –Violations of law or ordinances prohibiting:
 - a. Possession or use of alcohol by a person under the age of 21.
 - b. Providing alcohol to a person under the age of 21.
 - c. Sale of alcohol without the required license.
- **Drug Violations** –Possession, manufacture, distribution, or use of any controlled substance and the equipment or devices utilized in their preparation and/or use.
- **Weapons Violations** –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.
- **Hate Crimes** –Crime categories of criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, intimidation, vandalism (including destruction and/or damage to property), simple assault, and any other crime involving bodily injury are hate crimes if evidence is discovered that the victim was intentionally targeted because of the perpetrator's bias. Bias categories are race, religion, gender, gender identity, sexual orientation, disability, religion, ethnicity or national origin.
- **Rape** – The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **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.
- **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.
- **Stalking** - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress.
- **Dating Violence** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic Violence** - A felony or misdemeanor crime of violence committed—
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

Offense (Reported by hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
Murder/Non Negligent Manslaughter	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Negligent Manslaughter	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Rape	2019	0	0	1	2	1
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Fondling	2019	0	0	0	2	2
	2018	0	1	0	1	0
	2017	0	0	0	0	0
Incest	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Statutory Rape	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Robbery	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Aggravated Assault	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Burglary	2019	0	0	0	0	0
	2018	1	0	0	2	1
	2017	1	0	0	1	1
Motor Vehicle Theft	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Arson	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0

• By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, 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 in which the crime of violence occurred.

A. Statistics

The following statistics are selected crimes reported to CSSD. Statistics for the past three calendar years are tabulated for comparison and informational purposes.

All crimes are student vs. student/property, unless denoted otherwise.

Offense (Reported by hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
Domestic Violence	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Dating Violence	2019	0	0	0	1	1
	2018	0	0	1	1	0
	2017	0	0	0	0	0
Stalking	2019	0	0	0	2	2
	2018	0	0	1	1	0
	2017	0	0	0	0	0
Liquor Law Arrests	2019	0	0	0	0	0
	2018	0	0	2	2	0
	2017	0	0	0	0	0
Drug Law Arrests	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Weapons Law Arrests	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Liquor Law Disciplinary Action	2019	0	0	0	5	5
	2018	1	0	0	3	2
	2017	5	0	0	5	5
Drug Law	2019	0	0	0	2	2

Burglar	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Destruction / Damage / Vandalism of Property	0	0	0	0	0	0	0	0

FIRE SAFETY

Finlandia University believes that fire safety and education is an important component to our residential living program. Each year, new and returning students are educated by professional staff members on evacuation procedures, location of fire extinguishers, and the importance of self-reporting any potential problems with smoke detectors as well as not tampering with these devices.

EMERGENCY EVACUATION PROCEDURE

When resident students hear their building's fire alarm, they are expected to:

- a) Immediately exit the building, closing their room door;
- b) Always assume an emergency, never a false alarm;
- c) Use stairs, not elevators;
- d) If the door or handle is warm to the touch or smoke is in the hallway, stay in the room with the door closed, call 911, and attract attention at a window; and
- e) Crawl on floor or stairs, where air is fresher, if smoke is encountered.

When resident students see smoke or fire, they are instructed to:

- a) Pull the nearest building alarm,
- b) Close their room door and safely exit the building,
- c) Call 911,
- d) Never attempt to fight or put out a fire, and
- e) Tell fire authorities or police the location of fire or smoke.

ELECTRICAL EQUIPMENT AND APPLIANCES

TELEVISION SETS, STEREOs, AND COMPUTERS ARE PERMITTED IN RESIDENCE HALL ROOMS, PROVIDING ALL OCCUPANTS OF THE ROOM AGREE. BOTH THE PERMITTED APPLIANCE AND ANY CORD USED IN CONNECTION WITH IT MUST HAVE UNDERWRITER'S LABORATORIES (UL) APPROVAL. CORDS MUST HAVE SURGE PROTECTION AND BE 14-GAUGE. SUN LAMPS, CLAMP-ON BED LAMPS, ELECTRICAL HEATERS, OPEN-ELEMENT POPCORN POPPERS AND TOASTERS, HOT PLATES, TOASTER OVENS, HAZARDOUS ELECTRICAL APPLIANCES, AND APPLIANCES IN NEED OF ELECTRICAL REPAIR ARE SPECIFICALLY PROHIBITED. CLOTHING IRONS ARE PERMITTED IN RESIDENCE HALL ROOMS, BUT RESIDENTS ARE STRONGLY URGED TO USE CAUTION WHEN USING THEM. REGULAR-SIZE REFRIGERATORS ARE PROHIBITED. STUDENTS MAY USE SMALL DORM-SIZE REFRIGERATORS. SELF-CONTAINED HEATING ELEMENTS SUCH AS MICROWAVES, SIX-CUP HOT POTS, COFFEE MAKERS, POPCORN POPPERS, AND RICE COOKERS THAT ARE SELF-CONTAINED UNITS ARE ACCEPTABLE APPLIANCES.

DANGEROUS MATERIALS AND OPEN FLAME

No student shall possess, store, mix, or experiment with any chemical or explosive materials including, but not limited to, gunpowder, gasoline, or fireworks. This regulation shall not apply to instructor supervised learning activities.

No student shall use or create an open flame, or live or glowing embers including, but not limited to, candles, incense, or charcoal in any university buildings. This regulation shall not apply to instructor supervised learning activities.

No student shall possess, explode, or cause to explode any type of fireworks in any building or on any property owned or controlled by the University. Fireworks shall be confiscated and disposed of by the Department of Campus Safety and Security.

FIRE SAFETY STATISTICS:

As required by the Higher Education Opportunity Act of 2008, the following are fire statistics prepared by CSSD.

<u>LOCATION</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>INJURIES</u>
FINLANDIA HALL	0	0	0	NA
MANNERHIEM HALL	0	0	0	NA
WARGELIN HALL	0	0	0	NA
NIKANDER HALL	0	0	0	NA
JUTILA CENTER	0	0	0	NA
PAAVO NURMI CENTER	0	0	0	NA

RESIDENCE HALL FIRE ALARM/SUPPRESSION SYSTEM

Finlandia Hall, the lone residence hall, has a fire alarm/suppression system consisting of the following:

1st Floor - Fire Alarm, Sprinkler System (Throughout), Heat Detection, Extinguishers and Evacuation Plan

2nd Floor - Fire Alarm, Sprinkler System (Stairwells), Heat Detection (Stairwells), Extinguishers and Evacuation Plan

3rd Floor - Fire Alarm, Sprinkler System (Stairwells), Heat Detection (Stairwells), Extinguishers and Evacuation Plan

4th Floor - Fire Alarm, Sprinkler System (Stairwells), Heat Detection (Stairwells), Extinguishers and Evacuation Plan

5th Floor - Fire Alarm, Sprinkler System (Throughout), Heat Detection (Stairwells), Extinguishers and Evacuation Plan

EMERGENCY INFORMATION: Emergency Telephone Numbers

Finlandia University Dept. of Campus Safety & Security: (906) 487-7307 Cell #: (906) 370-7307

Hancock Police Department: 911

Houghton County Sheriff Department: 911

Hancock Fire Department: 911

Mercy Ambulance: 911

Poison Control Center: 1-800-562-9781

Crisis Center (Dial Help): (906) 482-4357

Copper Country Mental Health: (906) 482-9404

Community members are reminded to report all campus crimes, safety hazards, fires, events, security risks, and accidents to Campus Safety & Security.

Finlandia University
601 Quincy St.
Hancock, MI 49931
(906) 482-5300
<http://www.finlandia.edu>