

LANSING COMMUNITY COLLEGE
BOARD OF TRUSTEES
June 16, 2025

Regular Meeting
Adopted Meeting Minutes

Call to Order

The meeting was called to order at 6:00 p.m.

Roll Call

Present: Frazier, Lovell, Mathews, Proctor, Taylor, Thomas
Absent: Garcia

Pledge of Allegiance

Trustee Chatum Taylor led the Pledge of Allegiance.

Public Hearing on the Fiscal Year 2026 Budget Proposal

Chair Mathews made the following statement:

We are here tonight to open a Public Hearing on the Fiscal Year 2026 Proposed Budget. As required by law, the Board of Trustees published a formal notice in the Lansing State Journal, on-site and on the Lansing Community College website, of this public hearing on the budget for the 2025-2026 fiscal year, for which the College proposes to levy 3.7692 mills. The millage may be reduced by any required Headlee Rollback. This millage amount is referenced in the FY 2026 budget, and approving this budget by the Board of Trustees will meet the truth in budgeting statute for the levy of the proposed mills. The Board may not adopt its proposed 2025-2026 budget until after the public hearing. Thank you for your interest. At this time, the board will receive any public comments and then move to adjourn the Public Hearing. Please limit your comments to three minutes.

Public Comments

There were no Public Comments on the budget for the 2025-2026 fiscal year.

Public Hearing Adjournment

IT WAS MOVED BY Trustee Thomas and seconded by Trustee Frazier that the Public Hearing on the Budget for the 2025-2026 Fiscal Year be closed and adjourned.

Ayes: Frazier, Lovell, Mathews, Proctor, Taylor, Thomas

Nays: None
Absent: Garcia

The motion carried.

The public hearing adjourned at 6:02 p.m.

Call to Order

The regular Board of Trustees meeting was called to order at 6:03 p.m.

Roll Call

Present: Frazier, Lovell, Mathews, Proctor, Taylor, Thomas
Absent: Garcia

Moment of Silence

The Board had a moment of silence for the passing of Gwendolyn Reeves, Trustee Proctor's Sister.

Special Recognitions

In recognition of Juneteenth and Pride Month, the Office of Empowerment held a brief acknowledgment featuring the poems "Let America Be America Again" by Langston Hughes and "A Litany for Survival" by Audre Lorde.

Approval of Minutes

IT WAS MOVED BY Trustee Taylor and seconded by Trustee Thomas that the minutes of the May 19, 2025, Regular Board of Trustees meeting and the June 3, 2025, FY2026 Budget Workshop be approved.

Roll call vote:

Ayes: Frazier, Lovell, Taylor, Proctor, Mathews, Thomas
Nays: None
Absent: Garcia

The motion carried.

Additions/Deletions to the Agenda

There were no Additions/Deletions to the Agenda

Limited Public Comment Regarding Agenda Items

There was no Limited Public Comment Regarding Agenda Items.

Linkage Planning/Implementation

Community Linkage – President’s Report

President Robinson presented the June 2025 President’s report to the Board.

Consent Agenda – Action Items

The following items were presented under the consent agenda:

- A. Board of Trustees Employees
 - A. Expenses – June 2025
 - B. Time Reporting – June 2025
- B. Change Order Requests
 - 1. Electrician Services Contractor Pool
 - 2. Extension of Student Forms Application
- C. Collective Bargaining Agreements
 - ~~1. Association of Support Professionals (ASP) MEA/NEA Agreement (REMOVED)~~
 - ~~2. Facilities Maintenance Association (FMA) MEA/NEA Agreement (REMOVED)~~
- D. Cooperative Purchases
 - 1. Automation Services & Maintenance
 - 2. Cisco SmartNet Renewal
 - 3. Network Firewall Security
 - 4. Ultrasound Machine
 - ~~5. Virtual Desktop Infrastructure (REMOVED)~~
- E. Lease Agreement between Lansing Community College (LCC) and Eaton Regional Education Service Agency (ERESA)
- F. Request for Proposals
 - ~~1. Grounds, Landscape, and Snow Services (REMOVED)~~
 - 2. Parking Lot Restoration Services

Trustee Thomas requested that the Cooperative Purchase of the Virtual Desktop Infrastructure be removed. Trustee Taylor requested that the Request for Proposal for Grounds, Landscape, and Snow Services be removed. Chair Mathews and Hope Lovell requested that the Collective Bargaining Agreements for ASP and FMA be removed to be discussed in a Closed Session.

IT WAS MOVED BY Trustee Frazier and seconded by Trustee Taylor that the Consent Agenda, removing the Cooperative Purchase of the Virtual Desktop Infrastructure, the

Request for Proposal for Grounds, Landscape, and Snow Services, and the Collective Bargaining Agreements for ASP and FMA, be approved.

Roll call vote:

Ayes: Frazier, Lovell, Mathews, Thomas, Taylor, Proctor

Nays: None

Absent: Garcia

The motion carried.

Action Item – Cooperative Purchases on the Virtual Desktop Infrastructure

IT WAS MOVED BY Trustee Lovell and seconded by Trustee Frazier that the Cooperative Purchase of the Virtual Desktop Infrastructure be approved.

Trustee Thomas inquired about the difference between the current college usage and the cooperative purchase request.

Bill Garlic stated that this purchase would be an extension of the product the college is currently using.

Roll call vote:

Ayes: Frazier, Proctor, Lovell, Taylor, Mathews, Thomas

Nays: None

Absent: Garcia

The motion carried.

Action item – Request for Proposal for Grounds, Landscape and Snow Services

IT WAS MOVED BY Trustee Lovell and seconded by Trustee Taylor that the Request for Proposal for Grounds, Landscape, and Snow Services be approved.

Trustee Taylor asked questions on the bid process.

Roll call vote:

Ayes: Thomas, Taylor, Frazier, Lovell, Proctor, Mathews

Nays: None

Absent: Garcia

The motion

Action Item

Fiscal Year 2026 Budget Proposal

CFO Don Wilske presented the FY 2026 Budget Proposal. There was a brief discussion.

IT WAS MOVED BY Trustee Lovell and seconded by Trustee Thomas that the Fiscal Year 2026 Budget Proposal be approved.

Roll call vote:

Ayes: Mathews, Proctor, Thomas, Frazier, Lovell, Taylor

Nays: None

Absent: Garcia

The motion carried.

Monthly Monitoring Report

The following Monitoring Reports were presented:

1. Monthly Financial Statements
2. Monthly Public Safety Report

There was a board discussion on the monthly monitoring reports.

Policy Development

College Policies

Trustee Proctor reported that the policy committee met and is presenting several new and revised policies for approval. The new Anti-Hazing policy is being introduced to ensure compliance with state and federal laws. The Clery Act policy is being presented to adhere to the requirements of the Jeanne Clery Campus Safety Act. Revisions to the Program Review policy were made to align with the new criteria for accreditation set by the Higher Learning Commission. Additionally, updates to the Prohibited Sex or Gender-Based Discrimination, Harassment, and Sexual Misconduct policies were implemented to comply with the final Title IX rules issued by the Department of Education (DOE).

ANTI-HAZING

Policy Number – 4.025

I. Purpose

To promote a safe environment for students to participate in activities, programs, and organizations without compromising their health, safety, or welfare. It is the College's policy that hazing is prohibited.

II. Scope

This policy applies to students, employees, volunteers, guests, contractors, and visitors.

III. General

- A. LCC complies with all applicable state and federal hazing laws, including Garrett's Law (MCL750.411t) and the Stop Campus Hazing Act Hazing Policy citation: 20 U.S.C. § 1092(f), as amended by the Stop Campus Hazing Act (Pub. L. No. 118-173), and strictly prohibits any form of hazing.
- B. The hazing definition under Michigan law (MCL 750.411t) applies to this policy.

"Hazing" means an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. Hazing includes, but is not limited to, any of the following that is done for such a purpose:

- 1) Physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
- 2) Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual.
- 3) Activity involving the consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the individual to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual.
- 4) Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.
 - **Organization** means a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution.
 - **Pledge** means an individual who has been accepted by, is considering an offer of membership from, or is in the process of qualifying for membership in any organization.
 - **Pledging** means any action or activity related to becoming a member of an organization.
 - **Serious impairment of a body function** includes one or more of the following:
 - (1) Loss of a limb or loss of use of a limb.
 - (2) Loss of a foot, hand, finger, or thumb, or loss of use of a foot, hand, finger, or thumb.
 - (3) Loss of an eye or ear, or loss of use of an eye or ear.
 - (4) Loss or substantial impairment of a bodily function.
 - (5) Serious visible disfigurement.
 - (6) A comatose state that lasts for more than 3 days.
 - (7) Measurable brain or mental impairment.
 - (8) A skull fracture or other serious bone fracture.
 - (9) Subdural hemorrhage or subdural hematoma.

(10) Loss of an organ.

C. The Hazing definition under the Stop Campus Hazing Act applies to this policy.

Hazing for reporting statistics is defined as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons, regardless of the willingness of such other person or persons to participate. This includes

- 1) Acts that occur during the course of an initiation into, an affiliation with, or the maintenance of membership in a student organization, and;
- 2) Actions that cause or create a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury, including;
 - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - causing, coercing, or otherwise inducing another person to perform sexual acts;
 - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

The term 'student organization' for purposes of reporting statistics, means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

IV. Reporting

"If you see something, say something." The College encourages employees, students, contractors, and visitors to report violent, hazing, suspicious, or concerning behaviors regarding any member of the College community to their immediate Supervisor, LCC Police, Human Resources, or the Behavioral Intervention Team.

Any student, employee, volunteer guest, contractor, visitor, or other member of the LCC Community who experiences or is made aware of any suspected violation of this Policy should immediately notify one of the following:

For Emergencies, call 911

LCC Police Department (non-emergency)
517-483-1800

To report a student engaging in hazing, contact one of the following:

Director of Student Compliance
Student Title IX Coordinator
Office of Student Compliance
Location: 411 N. Grand Avenue
Gannon Building 1204
Lansing, MI 48933
Phone: 517-483-9632
Complete the Student Conduct Report Form.

Director of Student Life
Student Leadership Academy
Student Ombuds
Lansing Community College | Center for Student Support
Location: 422 N Washington Square
Lansing MI, 48933
Phone: 517-483-1275
Complete the Student Conduct Report Form.

Athletic Director
Deputy Student Title IX Coordinator
Location: 411 N. Grand Avenue
Gannon Building
Lansing, MI 48933
Phone: 517-483-1622
Complete the Student Conduct Report Form.

To report an employee, guest, or vendor engaging in hazing, contact Human Resources:

Director of Labor and Employee Relations
Location: 610 North Capitol Avenue
Administration Building Suite 106
Lansing, Michigan 48933
Phone: 517-483-9912

V. Investigations

Reports and complaints of hazing will be addressed in a timely manner, and appropriate action will be taken in compliance with the established standard operating procedures to implement this policy.

VI. Education and Training

Human Resources, Student Affairs, and the LCC Police Department are authorized to provide and develop education programs to increase knowledge and share information and resources to prevent hazing, promote safety, and reduce perpetration. The College provides education and/or training to students and employees to enhance understanding and increase awareness of the College's Anti-Hazing policy and procedure.

VII. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Dean of Student Affairs or designee.

CLERY ACT

Policy Number – 4.035

I. Purpose

To comply with the Jeanne Clery Campus Safety Act (Clery Act), which is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46. The Clery Act requires colleges and universities participating in federal financial aid programs to comply with various requirements related to safety on campus. Lansing Community College is committed to providing a safe environment for students and employees to participate in activities, programs, and organizations without compromising their health, safety, or welfare, consistent with its obligations under the Clery Act.

II. Scope

This policy applies to all employees, students, volunteers, guests, contractors, and visitors at College campus locations, whether owned, rented, leased, or otherwise under the control of the College and within Clery Geography.

III. General

It is the policy of the College to comply with the Clery Act and all applicable regulations at each of its campuses.

A. Reporting

To report a crime or an emergency, call 911. For non-emergencies, call the LCC Police Department at (517) 483-1800. LCC Dispatch is available 24 hours/day, seven days/week to answer calls. Calls made to 911 will be sent to the local 911 dispatch center. The 911 dispatch will then relay the information to the LCC Dispatch/Police. To report a non-emergency, contact LCCPD at 517-483-1800.

B. Annual Security Report

A report containing statistics of Clery Crimes for three years by type, location, and year; campus safety and security related policy statements that address crime reporting and prevention; law enforcement data bases of registered sex offenders; drug, alcohol, and sex offenses; procedures for issuing timely warning to the campus of potentially dangerous criminal and emergency situations; campus evacuation procedures; and policy statements, procedures, and programs to prevent dating violence, domestic violence, sexual assault and stalking.

C. Campus Security Authority (CSA): An individual who meets one of the following definitions:

- 1) a campus police or security department;
- 2) any individual who has responsibility for campus security;
- 3) any individual or organization specified by policy as an individual or organization to which students and employees should report criminal offenses; or

- 4) an official of an institution who has significant responsibility for student and campus activities.

An “official” is defined as any person who has the authority and duty to act or respond to a particular issue on behalf of the institution.

D. Clery Crimes: Crimes designated as reportable under the Clery Act, which include:

- 1) **Criminal Offenses** – murder and non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, and arson.
- 2) **Hate Crimes** – any of the above-mentioned Criminal Offenses and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism to property that were motivated by bias.
- 3) **Violence Against Women Act (VAWA) Offenses** – domestic violence, dating violence, sexual assault, and stalking.
- 4) **Weapons, Drug, and Liquor Law Violations** – arrests and referrals for disciplinary action.
- 5) **Hazing** – an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization.

E. Clery Geography: Buildings and properties on each separate campus are considered to be:

- 1) **On Campus** – buildings or property owned or controlled by LCC within the same reasonably contiguous geographic area; or buildings or property within the same reasonably contiguous areas, owned by the institution but controlled by another person, frequently used by students, and supporting educational purposes.
- 2) **Non-campus Building or Property** – building or property owned or controlled by the College that is used in direct support of, or in relation to, the College’s educational purposes, is frequently used by students, and is not within the reasonably contiguous geographic area of the College; or building or property owned or controlled by a registered student organization.
- 3) **Public Property** - thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to and accessible from the campus.
- 4) **Separate Campus** - An Additional location that (a) the institution owns or controls, (b) is not reasonably geographically contiguous with the main campus, (c) has an organized program of study, and (d) has at least one person on-site acting in an administrative capacity.

F. Crime Log

LCC Police Department will maintain a public log of all crimes reported to the department that occurred within Clery Geography or within the LCC PD patrol jurisdiction. The log is required to have the most recent 60 days' worth of information. Each entry in the log must contain the

nature, date, time, and general location of each crime, and disposition of the complaint, if known. Information in the log older than 60 days must be made available within two business days. To request information in the log older than 60 days, please contact LCC Police at police_dispatch@star.lcc.edu.

D. Emergency Notification

Notification to the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

E. Timely Warning

Notification to the campus community of Clery Crimes that occur on LCC's Clery Geography and represent a serious or continuing threat to the safety of students or Employees.

IV. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Senior Vice President of Business Operations, or Executive Director of Administrative Services, or designee.

PROGRAM REVIEW

Policy Number – 3.160

I. Purpose

To require the establishment of a formal review process that is designed to assess and enhance the effectiveness of programs offered by the college and ensure that such programs are of the highest possible quality.

II. Scope

This policy applies to all academic programs.

III. General

The program review process will be outcomes-based and data-driven. It will involve the identification and measurement of quality indicators appropriate to the program, including faculty qualifications. Reviews will occur on a cyclical basis.

IV. Responsibility

The responsibility for the interpretation and administration of this policy is delegated to the Provost/ Senior Vice President of Academic Affairs or designee.

PROHIBITED SEX OR GENDER-BASED DISCRIMINATION, HARASSMENT, AND SEXUAL MISCONDUCT

Policy Number – 4.120

I. Purpose

To establish clear guidelines in accordance with federal, state, and local laws, as well as the policies adopted by the Board of Trustees, and the standards of conduct adopted by the College, the College's commitment to maintaining a fair and respectful environment for both

work and study and to protect students and applicants for admission, as well as employees and applicants for employment, from prohibited discrimination and harassment. This includes protection against discrimination or harassment based on sex or gender, as well as incidents of sexual misconduct.

II. Scope

The College's Prohibited Sex or Gender-Based Discrimination, Harassment, and Sexual Misconduct Policy applies to all members of the LCC Community, including students, employees, volunteers, guests, vendors, contractors, and visitors to campus. The Policy applies to all College programs and activities, including all academic, educational, extracurricular, athletic, social, and other programs and activities related to the College. Application of the Policy is not limited to the College's campuses, facilities, or premises, whether they are owned, rented, leased, or otherwise under the control of the College at which any College-related programs or activities occur. The Policy also applies to off-campus misconduct that does not occur in the context of a College-related program or activity if it contributes to a hostile environment on campus, or in any College-related program or activity. For Title IX purposes, this policy does not apply to off-campus activities that are not sponsored by the College.

III. General

The College prohibits discrimination or harassment within the scope of this Policy by or against any member of the LCC Community based on the member's race, color, sex, age, religion or creed, national origin or ancestry, familial status, disability, marital status, **pregnancy, pregnancy-related conditions**, height, weight, sexual orientation, gender, gender identity, gender expression, genetic information, veteran or military status, or any other factor prohibited by law. Prohibited discrimination occurs when one of these factors is the basis for treating a person worse than other people who are "similarly situated." None of these factors shall be permitted to have an adverse influence on decisions regarding students, applicants for admission, employees, applicants for employment, **volunteers, guests, vendors, contractors, visitors to campus** ~~volunteers~~, or participants in and/or users of College-related programs, services, and activities. Lansing Community College will maintain an educational and work environment free of such prohibited discrimination or harassment.

Prohibited harassment is a form of prohibited discrimination. It occurs when (1) severe or persistent unwelcome conduct or comments make it unreasonably difficult or unreasonably unpleasant for a person to be in the College workplace or to participate in or receive the benefits, services, or opportunities of College studies, programs or activities; and (2) the comments or conduct are based on or reflect hostility to the person's race, color, sex, age, religion or creed, national origin or ancestry, familial status, disability, marital status, **pregnancy, pregnancy-related conditions**, height, weight, sexual orientation, gender, gender identity, gender expression, genetic information, veteran or military status, or any other factor prohibited by law. Sexual misconduct (described more fully below), including all forms of sexual harassment, sexual misconduct, including, but not limited to, sexual assault, sexual violence, domestic violence, dating violence, stalking, and sexual exploitation/misconduct, is a form of unlawful sex discrimination and is prohibited.

The following definitions apply to this policy and may include different definitions as required by specific regulations such as Title IX, The Clery Act (Clery), Violence Against Women (VAWA) Title IV, and Title VII.

For Title IX purposes, sexual harassment is conduct on the basis of sex that satisfies one or more of the following: (1) An employee of Lansing Community College conditioning the provision of aid, benefit, or service of Lansing Community College on an individual's participation in unwelcome sexual conduct; (2) Unwelcome conduct determined by a

reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Lansing Community College's education program or activity; or (3) "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).

A. Sexual Misconduct

All members of the Lansing Community College Community, regardless of their sexual orientation or their gender or gender expression, or gender identity, have the right to engage in their College education, work, and other activities free from all forms of sex or gender-based discrimination or harassment, including sexual misconduct. Sexual misconduct includes all forms of sexual harassment as well as acts of sexual assault, dating or domestic violence, stalking, sexual exploitation and intimidation, and retaliation. Consensual or non-consensual sexual activities are prohibited in non-residential areas of the College. All members of the LCC community are required to conduct themselves in a manner that does not infringe upon the rights of others.

1) Sexual Harassment

Sexual Harassment is unwelcome, sexual, sex-based, and/or gender-based verbal, non-verbal, written, electronic, online, and/or physical conduct that is so severe or pervasive that it unreasonably interferes with a person's College employment, academic performance, or participation in College programs or activities and creates a working, learning, program, or activity environment that a reasonable person would find intimidating, hostile, or offensive. Sexual harassment may include, for example, unwelcome sexual advances, requests for sexual favors, acts of sexual violence, physical contact of a sexual nature, or verbal or non-verbal conduct of a sexual nature.

A hostile work/educational environment is created when sexual harassment is sufficiently severe, persistent, or pervasive, and objectively offensive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the College's educational or employment programs or activities.

Quid Pro Quo Harassment is (1) unwelcome sexual advances, (2) requests for sexual favors, and (3) other verbal or physical conduct of a sexual nature by a person having power or authority over another when submission to such sexual conduct is made either explicitly or implicitly a term or condition of (a) employment or educational opportunities, or (b) receiving the benefits of any educational or employment program or activity, or (c) rating or evaluating an individual's education or employment progress, development, or performance.

For Title IX purposes sexual harassment is conduct on the basis of sex that satisfies one or more of the following: (1) An employee of Lansing Community College conditioning the provision of an aid, benefit, or service of Lansing Community College on an individual's participation in unwelcome sexual conduct; (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Lansing Community College's education program or activity; or (3) "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).

All sexual harassment is prohibited by this Policy.

2) Sexual Assault

Sexual assault is any non-consensual sexual contact, including but not limited to non-consensual sexual penetration (see below).

Non-Consensual Sexual Contact

Non-Consensual Sexual Contact (e.g., fondling) is any intentional sexual touching, however slight, by any person upon another person that is without consent and/or accomplished by force or threat of force. Sexual contact includes (1) intentional contact with a person's breast, buttock, groin, or genitals, or (2) touching another with any of these body parts or with any object, or (3) making another touch you or themselves with or on any of these body parts, or (4) any other intentional bodily contact in a sexual manner.

Non-Consensual Sexual Penetration

Non-Consensual Sexual Penetration (e.g., rape) is any sexual penetration, however slight, by a person upon another person that is without consent and/or accomplished by force or threat of force. This includes vaginal or anal penetration, no matter how slight, by any body part or object; or oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

~~For Title IX purposes, the following definition applies:~~

Sexual Assault is any attempted or actual sexual act directed against another person, without the consent of that person, including instances where they are incapable of giving consent. **An offense classified as forcible or nonforcible sex under the Uniform Crime Reporting (UCR) system of the Federal Bureau of Investigation (FBI).**

- a) Rape is 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 that person, including instances where they are incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. This offense includes the rape of both males and females.
- b) Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of that person, including instances where they are incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- c) Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d) Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

All sexual assault is prohibited by this Policy.

3) Dating or Domestic Violence

Dating or domestic violence includes all violent criminal offenses (e.g., physical violence, interfering with personal liberty, etc.) as well as intimidation, harassment, physical abuse, or sexual abuse when it is caused by someone in an intimate relationship with another person. Examples of such actions include physical abuse (hitting, slapping, shoving, grabbing, biting, hair pulling, etc.); sexual abuse (marital rape, treating one in a sexually demeaning manner, coercing or attempting to coerce sexual contact without consent, etc.); and psychological or emotional abuse (name-

calling, persistently undermining an individual's sense of self-worth or self-esteem, intentionally damaging one's relationships with others, etc.).

Dating Violence

Dating violence is committed by a person who has been in a dating relationship or a social relationship of a romantic or intimate nature with another person. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

~~For Title IX purposes, the following definition applies:~~

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant or 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 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.

All dating violence is prohibited by this Policy.

Domestic Violence

Domestic violence is committed by a person who is the complainant's current or former spouse, current or former domestic partner, current or former cohabitant, a person with whom the complainant shares a child in common, or a person similarly situated under domestic or family violence law.

~~For Title IX purposes, the following definition applies:~~

Domestic Violence is **a felony or misdemeanor crime of** violence committed:

- By a current or former spouse or intimate partner of the complainant;
- By a person with whom the complainant shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;
- By a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth complainant who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

~~To categorize an incident as Domestic Violence, the relationship between the respondent and the complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.~~

All domestic violence is prohibited by this Policy.

~~For the Clery Act and the Violence Against Women's Act purposes, the following definition applies:~~

~~Domestic Violence is a felony or misdemeanor crime committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior by a person who:~~

- ~~• Is a current or former spouse or intimate partner of the victim, or a person similarly situated to a spouse of the victim;~~
- ~~• Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;~~
- ~~• Shares a child in common with the victim; or~~
- ~~• Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.~~

4) **Stalking**

Stalking means a course of harassment directed at a specific person that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested, or to fear for her, his, their, or others' safety, or to suffer substantial emotional distress. Conduct that can amount to stalking may include any combination of actions directed at another person, whether done directly, indirectly, through others, via devices, or by any other methods or means (specifically including electronic means), including but not limited to:

- Following, appearing within sight of, or confronting a person;
- Being or remaining in close proximity to a person;
- Appearing at a person's residence or place of employment;
- Monitoring, observing, or conducting surveillance of a person;
- Threatening (directly or indirectly) a person;
- Communicating with a person by telephone, mail, or electronic communications;
- Placing an object on or delivering an object to a place owned, leased, or occupied by a person;
- Interfering with or damaging a person's property (including pets).

~~For Title IX purposes, the following definition applies:~~

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. For the purposes of this definition:

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

All stalking is prohibited by this Policy.

5) Economic Abuse

Economic abuse, in the context of domestic violence, dating violence, and abuse in later life, is behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to:

- Restrict a person's access to money, assets, credit, or financial information;
- Unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or
- Exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

6) Technological Abuse

Technological abuse is an act or pattern of behavior that occurs within domestic violence, sexual assault, dating violence, or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to:

- Internet-enabled devices;
- online spaces and platforms;
- computers;
- mobile devices;
- cameras and imaging programs;
- apps;
- location tracking devices;
- or communication technologies;
- or any other emerging technologies

7) Sexual Exploitation

Sexual Exploitation occurs when one person takes non-consensual or abusive sexual advantage of another for the advantage or benefit of oneself or a third party. This includes, but is not limited to, the following actions (including when they are

done by electronic means, methods, or devices):

- Invasion of sexual privacy (e.g., engaging in sexual voyeurism or permitting others to witness or observe the nudity or sexual or intimate activity of another person) without that person's consent;
- Indecent or lewd exposure or inducing others to expose themselves when consent is not present;
- Recording any person's nudity or sexual or intimate activity in a private space without that person's consent;
- Sharing or distributing sexual information, or images or recordings of a person's nudity or sexual activity, without that person's consent;
- Recruiting, harboring, transporting, providing, or obtaining another person for the purpose of sexual exploitation, such as prostitution;
- Knowingly exposing someone to or transmitting HIV or an STI/STD to another person;
- Inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs.

All sexual exploitation is prohibited by this Policy.

Hazing is prohibited as it constitutes a violation of this Policy and the state of Michigan's Anti-Hazing law (Garrett's Law- MCL-Section 750.411t). This policy applies to all student organizations and student groups, including but not limited to athletic teams, spirit groups, military organizations, honor societies, fraternities and sororities, musical or theatrical ensembles, bands, and clubs.

"Hazing" means an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. Hazing includes, but is not limited to, any of the following that is done for such a purpose:

- 1) Physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
 - 2) Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual.
 - 3) Activity involving the consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the individual to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual.
 - 4) Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.
- **Organization** means a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at

an educational institution.

- **Pledge** means an individual who has been accepted by, is considering an offer of membership from, or is in the process of qualifying for membership in any organization.
- **Pledging** means any action or activity related to becoming a member of an organization.
- **Serious impairment of a body function** includes one or more of the following:
 - (1) Loss of a limb or loss of use of a limb.
 - (2) Loss of a foot, hand, finger, or thumb, or loss of use of a foot, hand, finger, or thumb.
 - (3) Loss of an eye or ear, or loss of use of an eye or ear.
 - (4) Loss or substantial impairment of a bodily function.
 - (5) Serious visible disfigurement.
 - (6) A comatose state that lasts for more than 3 days.
 - (7) Measurable brain or mental impairment.
 - (8) A skull fracture or other serious bone fracture.
 - (9) Subdural hemorrhage or subdural hematoma.
 - (10) Loss of an organ.

The Hazing definition under the Stop Campus Hazing Act applies to this policy.

Hazing for reporting statistics is defined as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons, regardless of the willingness of such other person or persons to participate. This includes

- 1) Acts that occur during the course of an initiation into, an affiliation with, or the maintenance of membership in a student organization, and;
- 2) Actions that cause or create a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury, including;
 - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - causing, coercing, or otherwise inducing another person to perform sexual acts;
 - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

- any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

The term 'student organization' for purposes of reporting statistics, means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

B. Consent

Consent is the cornerstone of respectful, responsible, and healthy relationships. Conduct that is welcome and occurs with the consent of everyone involved does not constitute sexual harassment.

For purposes of this Policy, it is important to understand the difference between conduct or comments that are welcome and those that are merely tolerated. Conduct or comments are considered welcome if they are received with pleasure or gladness by everyone involved. If two people are engaged in consensual conduct in private, that conduct is welcome to them. In such cases, the conduct or comments will not be deemed to violate the College Policy against sexual harassment (although they may violate other parts of this or other College policies).

In contrast, conduct or comments may be accepted or endured without objection, but still, be unwelcome. They are merely tolerated. People frequently tolerate unlawful harassment silently, or with only weak protests, because they are afraid of losing their job or they just want to "fit in" or "get along," etc. A person's decision to tolerate abusive or harassing comments or conduct does not make them welcome. The only way to be certain that comments or conduct are welcome is to obtain a person's consent to the comments or conduct.

Consent is the most critical element in any healthy and responsible intimate or sexual relationship. Any sexual activity within the scope of this Policy that occurs without consent is an extremely serious violation.

For purposes of this Policy, consent is present *when clearly understandable words or actions manifest a knowing, active, voluntary, and present and ongoing agreement to engage in specific sexual or intimate conduct*. Consent must be *all* of the following:

- **Knowing:** Consent must demonstrate that the individuals involved understand, are aware of, and agree to everything about the "who" (partners), "what" (acts), "where" (location), "when" (time), and "how" (conditions) of the sexual activity.
- **Active:** Consent must take the form of "clearly understandable words or actions" that reveal one's expectations and agreement to engage in specific sexual activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a "no") should not, in and of themselves, be understood as consent. Consent cannot be inferred by an individual's manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or going on a date.

- *Voluntary*: Consent must be freely given and cannot be the result of external pressures such as force (violence, physical restraint, or the presence of a weapon), threats (indications of intent to harm, whether direct or indirect), intimidation (extortion, menacing behavior, bullying), coercion (undue pressure, hazing) or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).
- *Present and ongoing*: Consent must exist at the time of the sexual activity. Consent to previous sexual activity does not imply consent to later sexual acts; similarly, consent to one type of sexual activity does not imply consent to other sexual acts. Consent may also be withdrawn at any time, provided the person withdrawing consent makes that known in clearly understandable words or actions.

Consent is never present when an individual does not have the capacity to give consent due to age, mental or physical condition, or disability that impairs the individual's ability to understand and give a knowing, active, voluntary, present, and ongoing agreement to engage in specific sexual or intimate conduct. A person does not have the capacity to give consent if their judgment or awareness is impaired due to consumption of alcohol, drugs, or inhalants (voluntarily or involuntarily), or being in a state of unconsciousness, sleep, or another state in which the person is unaware that sexual activity is occurring. Signs of incapacitation include when an individual demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction.

Some indicators of a lack of capacity to give consent due to consumption of alcohol, drugs, or inhalants may include, but are not limited to:

- Lack of full control over physical movements (for example, difficulty walking or standing without stumbling or assistance);
- Lack of awareness of circumstances or surroundings (for example, lack of awareness of where one is, how one got there, who one is with, or how or why one became engaged in sexual interaction);
- Inability to effectively communicate for any reason (for example, slurring speech, difficulty finding words, etc.).

If a person appears to be giving consent but may not have the capacity to do so, the apparent consent is not effective. If there is any doubt as to a person's capacity to give consent, it should be assumed that the person does not have the capacity to give consent and that any sexual activity will constitute sexual misconduct.

Being intoxicated or impaired by drugs or alcohol does not excuse one from the responsibility to obtain consent. Being intoxicated or impaired by drugs or alcohol is never an excuse for committing sexual misconduct.

C. Reporting or Complaining About a Violation

Any student, employee, visitor, or other member of the LCC Community who experiences any suspected violation of this Policy has options for reporting or filing a complaint about it. A complainant may choose to report a violation to the College, to law enforcement, to both, or neither. At the complainant's election, campus authorities may assist in notifying law enforcement. LCC strongly encourages anyone who has experienced any form of violence or sexual misconduct to immediately notify law enforcement. Such persons are also strongly encouraged to seek immediate medical assistance in order to obtain treatment for injuries, obtain preventative treatment for sexually transmitted diseases, and to preserve

evidence, among other things. For sexual assaults, in particular, immediate treatment and the preservation of evidence are important for many reasons, including facilitating a criminal investigation. In addition, individuals who have experienced or witnessed sexual violence are encouraged to seek emotional support as soon as possible. Once notified, the College will support affected individuals in understanding and pursuing available options. **Upon receiving a complaint, the Title IX Office will acknowledge receipt to the Complainant and provide their Rights and Options. If the Complainant chooses to proceed, the Respondent will be sent a Notice of Investigation and Allegations along with their Rights and Options. If the Complainant does not pursue the complaint, the Respondent may not be notified.**

Reporting to Law Enforcement: A complainant has the right to notify (or decline to notify) law enforcement of any act of violence, sexual misconduct, stalking, or other criminal activity. At the complainant's election, campus authorities may assist in notifying law enforcement. LCC urges complainants to report any such activity immediately by contacting local law enforcement, with local numbers listed below:

For emergencies, call 911.

For non-emergencies, call:

Any location: LCC Police ~~Department and Public Safety~~ (non-emergency) (517) 483-1800

Main Campus: Lansing Police Department (non-emergency) (517) 483-4600

East Campus: Meridian Township Police (non-emergency) (517) 332-6526

West Campus: Eaton County Sheriff (non-emergency) (517) 543-3512

Mason Jewett Airport: Ingham County Sheriff (non-emergency) (517) 676-2431

Livingston County Center: Livingston County Sheriff (non-emergency) (517) 546-2440

Law enforcement agencies have unique legal authority, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking Personal Protection Orders. Although a police report may be made at any time, a delay in making a report can result in **the** loss of important evidence, and, in some cases, an extended delay may prevent law enforcement from taking meaningful action due to statutes of limitations.

Reporting to LCC: Whether or not a police report is filed, the College urges anyone who becomes aware of any apparent violation of this Policy to report the incident(s) immediately to the College. A complainant is not obligated to report an incident to College personnel, but the College can only take corrective action when it becomes aware of such incidents. Reports alleging any form of prohibited discrimination or harassment may be made in person, in writing, (preferred), or orally. For Title IX purposes, reports alleging any form of sexual harassment may be made in person, by phone, by mail, by electronic mail, or through the electronic form. A written formal complaint alleging sexual misconduct/harassment must be made to the Title IX Coordinators listed below. The formal complaint made under Title IX should also include a statement on the part of the complainant as to whether the complainant requests the College to commence an investigation into the alleged matter.

Procedures and complaint forms can be found on the [Title IX and Sexual Misconduct website](#).

Reports or complaints about misconduct should be given to one of the following:

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1. **To report a student:** Any claim that a student engaged in sex discrimination (including pregnancy-based discrimination) or sexual misconduct (including sexual harassment) should be reported to:

Christine Thompson, Director of Student Compliance
Student Title IX Coordinator
Office of Student Compliance
Location: 411 N. Grand Avenue
Gannon Building 1210
Lansing, MI 48933
Phone: (517) 483-9632
[Email: thompsc@lcc.edu](mailto:thompsc@lcc.edu)

Greg Lattig
Athletic Director
Deputy Student Title IX Coordinator
Gannon Building
411 N. Grand Avenue
Lansing, MI 48933
Phone: (517) 483-1622
Email: lattigg@lcc.edu

2. **To report an employee, guest, or vendor:** Any claim that a member of the LCC Community other than a student (employees, visitors, etc.) engaged in sex discrimination (including pregnancy-based discrimination) or sexual misconduct (including sexual harassment) should be reported to:

JR Beauboeuf
Director of Risk Management and Legal Services,
Equal Opportunity Officer & Employee Title IX Coordinator
Location: 309 Washington Square
Suite 150
Lansing, MI 48933
Phone: (517) 483-1730
Email: beauboej@lcc.edu
Email: HR-T9@star.lcc.edu

3. **To file an EEO complaint:** Any incident involving any other form of prohibited discrimination or harassment based on race, religion, disability, or other non-gender-based issues should be reported to:

JR Beauboeuf
Director of Risk Management and Legal Services
Location: 309 Washington Square
Suite 150
Lansing, MI 48933
Phone: (517) 483-1730
Email: beauboej@lcc.edu

Reports of alleged violations of this Policy can also be made to Officials with Authority (OWA). An OWA is an employee who has the authority to institute immediate corrective measures on behalf of the College. For the purpose of this policy, an OWA is the Executive Director of Human Resources or any member of the [Executive Leadership Team](#). OWA's are required to immediately report any allegations of sexual misconduct or sexual harassment to the appropriate Title IX Coordinator.

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Additionally, reports of alleged violations of this policy can be made to any employees of the College who are mandated reporters. Mandated reporters do not include student employees and Licensed Professional Counselors serving in a Counselor role at the College. Mandated reporters are required to immediately report any allegations of sexual misconduct or sexual harassment to the appropriate Title IX Coordinator.

Reports of alleged violations of this policy may trigger an investigation. There is no guarantee that confidentiality can be maintained concerning any reported incident, although the College will strive to keep matters as confidential as possible.

Reports concerning alleged violations of this Policy can also be made to one of the College's Licensed Professional Counselors. Counselors can talk with a complainant in confidence, and if requested, they will only report that a prohibited incident has occurred without revealing any personally identifiable information about the incident. If a complainant wants a counselor to maintain confidentiality, the College will be unable to conduct an investigation or pursue disciplinary action. If a Licensed Professional Counselor learns of an allegation of sexual misconduct or sexual harassment outside of their counselor/client relationship, they are required to make a report with the appropriate Title IX Coordinator. Further, anyone who is a Licensed Professional Counselor but is employed in a role other than a counselor working for the College is required to make a report of alleged sexual misconduct or sexual harassment with the appropriate Title IX Coordinator.

Another option is for a complainant or witness to report an incident anonymously. Anonymous complaints regarding a student should be submitted through the form on the [Title IX and Sexual Misconduct](#) website. Anonymous complaints regarding an employee, guest, or vendor should be completed by calling the Human Resources direct line at (517) 483-1870 or by emailing HR-T9@star.lcc.edu. Anonymous reports may result in the College conducting an investigation, but the College's ability to deal with an incident may be limited by a lack of necessary information.

There is no time limit for reporting alleged violations of this Policy to the College; however, the College's ability to respond may diminish over time, as evidence may disappear or erode, memories may fade, and respondents (alleged perpetrators) may no longer be affiliated with the College. Even if a respondent is no longer a student or an employee, the College will provide reasonably appropriate remedial measures, assist the complainant in identifying external reporting options, investigate any alleged violation of this Policy, and take reasonable steps to end any violation of the Policy, prevent its recurrence, and remedy its effects.

Reporting to other agencies. Anyone experiencing unlawful discrimination or harassment can also file a complaint with other agencies, whether or not they have chosen to do so with the College or with law enforcement. Government agencies that accept complaints, conduct investigations, and enforce the laws against unlawful discrimination and harassment include:

United States Department of Education
Office for Civil Rights (OCR)
1350 Euclid Avenue, Suite 325
Cleveland, OH 44115-1812
Phone: 216-522-4970
TTY: 800-877-8339
Fax: 216-522-2573
E-Mail: OCR.Cleveland@ed.gov

United States Equal Employment Opportunity Commission
Patrick V. McNamara Building
477 Michigan Avenue

Room 865
Detroit, MI 48226
Phone: 1-800-669-4000
Fax: 313-226-4610
TTY: 1-800-669-6820
Michigan Department of Education
Office of Career and Technical Education
P.O. Box 30712, Lansing, Michigan 48909
Telephone: (517) 373-0600

Michigan Department of Civil Rights
Lansing Executive Office
Capitol Tower Building
110 W. Michigan Ave., Suite 800
Lansing, MI 48933
Phone: 517-335-3165
Fax: 517-241-0546
TTY: 517-241-1965
Email: MDCR-INFO@michigan.gov

D. Confidentiality

The College has a strong desire to assist members of the LCC Community who have been subjected to conduct or comments that violate this Policy and strongly encourages them to report any such incidents. The College will make every reasonable effort to preserve an individual's privacy and protect the confidentiality of information it receives in connection with such a report. The information reported will be shared only with individuals who assist or are otherwise involved in the investigation and/or the resolution of the complaint, or who otherwise have a need to know about the complaint and/or its resolution. Allegations reported to mandated reporters will be reported to the appropriate Title IX coordinator or EEO officer. If a person discloses an incident but wishes to maintain confidentiality or requests that no investigation or disciplinary action occur, that request must be weighed against the College's obligation to provide a safe, non-discriminatory environment. In deciding what to do, the College will consider a range of factors, including, but not limited to:

- Whether there have been other complaints against the same person(s) (may not apply to Title IX)
- The risk that the alleged respondent (s) will commit additional acts of misconduct (may not apply to Title IX)
- Whether there were threats of further misconduct
- Whether the College can obtain other relevant evidence (e.g., security video or physical evidence)
- Whether the alleged respondent has a known history of arrests or violence
- Whether the incident(s) involved actual or threatened violence or force
- Whether the complainant is under the age of consent or a minor
- The degree of harm or trauma suffered by the complainant or by potential complainants

If it determines that it can respect a request for confidentiality, the College will consider non-specific remedial action, such as increased monitoring, security, and/or education and prevention efforts. If it determines that it cannot maintain confidentiality, the College will so inform the individual(s) subjected to misconduct prior to the start of an investigation. The College will also provide security and support prior to, during, and if necessary after, the investigation.

E. Getting Help

Any student, employee, visitor, or other member of the LCC Community who experiences any suspected violation of this Policy has options for getting assistance, care, support, and protection. Internal and external resources can be found on the [Title IX and Sexual Misconduct website](#). The College strongly encourages people to utilize these resources as soon as possible.

The following confidential resources, LCC counseling for students, and an Employee Assistance Program (EAP) are available for individuals to discuss incidents and issues related to unlawful discrimination, harassment, or sexual misconduct on a confidential basis. Confidential resources will not disclose information about such incidents to anyone, including law enforcement or the College, except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or where state law requires a report to be made. Confidential resources can provide individuals with information about support services and their options. Because of the confidential nature of these resources, disclosing information to or seeking advice from a confidential counselor does not constitute a report or complaint to the College and will not result in a response or intervention by the College except in extreme circumstances.

LCC Counseling offers free, confidential counseling services, which are available to all LCC students:

Location: Gannon Building

Phone: 517-483-1924

[Website: Counseling Services](#)

The College provides a confidential Employee Assistance Program at no cost to all LCC employees:

Phone: 800-847-7240

Both LCC Counseling and the EAP have the ability to provide information related to available outside resources, depending on the situation reported.

If the College is notified of an alleged incident of unlawful discrimination, harassment, or sexual misconduct, it ~~may~~ will provide, **non-disciplinary, non-punitive** supportive measures, interim measures, protective measures, and accommodations. **These measures shall not be unreasonably burdensome on the respondent.** Such steps can be taken temporarily, during the pendency of an investigation, or may become permanent in some circumstances. Supportive measures, interim measures, protective measures, and accommodations include, but are not limited to:

- A no-contact directive
- Adjustment of course schedules or employment schedules
- Time off from class or work, or a leave of absence
- Transportation arrangements
- Safety planning
- **Referral to counseling, medical, and/or other healthcare services**
- **Referral to community-based service providers**
- **Visa and immigration assistance**
- **Student financial aid counseling**
- **Timely warnings**
- **Any other actions deemed appropriate by the Title IX Coordinator**

Supportive measures, interim measures, protective measures, and accommodations can be made available, whether or not an individual chooses to pursue a formal complaint through law enforcement agencies or College disciplinary procedures, and will be offered to both the complainant and the respondent. The Title IX Coordinator will determine whether supportive measures, interim measures, protective measures, or accommodations are reasonable and appropriate and if so, will work to ensure that interim protective measures or accommodations are implemented as soon as possible. There is no cost to a complainant or respondent for supportive measures, interim measures, protective measures, or accommodations. The College will keep any supportive measures, interim measures, protective measures, and accommodations, or protective measures provided as confidential as practicable.

Any violation of a directive related to supportive measures, interim measures, protective measures, or accommodations may result in disciplinary action, which may include, but is not limited to, suspension or expulsion from the College or suspension or termination of employment.

F. Retaliation

No person ~~will~~ **shall** be penalized for good faith utilization of channels available for resolving concerns dealing with prohibited discrimination or harassment. Lansing Community College strictly prohibits any adverse **or retaliatory** action against any individual for making a good faith report, providing information, exercising one's rights or responsibilities under this Policy, or otherwise being involved in the process of responding to, investigating, or addressing or opposing any alleged incidents of prohibited discrimination or harassment, including allegations of sexual misconduct. Any person who engages in any retaliatory actions against any such individual for having engaged in these legally protected activities will be subject to disciplinary action that may include, but is not limited to, expulsion from the College and termination of employment. In addition, any person who engages in such retaliatory actions may be subject to criminal prosecution and may become liable in civil litigation.

Making deliberately false accusations of discrimination or harassment violates this policy and may violate other standards of conduct. In such instances, the complainant will be subject to disciplinary action. However, failure to prove a claim of discrimination or harassment does not constitute proof of a false and/or malicious accusation.

For Title IX purposes, no recipient or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this part, or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing. Intimidation, threats, coercion, or discrimination (including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances) for the purpose of interfering with any right or privilege under Title IX constitutes retaliation.

Anyone who is aware of possible retaliation or has concerns regarding the response to a complaint of prohibited discrimination or harassment, including sexual misconduct, should immediately report such concerns to the Title IX Coordinator or the Equal Opportunity Officer, who will investigate the matter and pursue any appropriate corrective action.

G. Education & Training

The College provides education ~~and information~~ **and training**, as appropriate, for students and employees to enhance understanding and increase awareness of the College's Prohibited Sex or Gender-Based Discrimination, Harassment, **Anti-Hazing**, and Sexual Misconduct Policy and Procedures. ~~Annual Periodic~~ training is conducted for mandated

reporters and those involved in the investigation and resolution of complaints and appeals. Records of all training are maintained and, for Title IX purposes, published on the Title IX and Sexual Misconduct website. Human Resources, Student Affairs, and LCC ~~Public Safety~~ **Police** are authorized to provide and develop education programs to increase knowledge and share information and resources to prevent sexual misconduct, promote safety, and reduce perpetration.

H. Investigations

All reports and complaints of prohibited discrimination, harassment, or sexual misconduct received by a Title IX Coordinator or EEO Officer will be promptly reviewed **in a fair and impartial manner**, and appropriate action will be taken as expeditiously as possible. **The investigatory files under this policy are not part of the public domain.**

The College will make reasonable efforts to protect the rights of both the complainant and the respondent during the course of an investigation. The College will respect the privacy of the complainant(s), the respondent(s), and any other witnesses in a manner consistent with the College's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations required by state or federal law.

In the course of investigating, the College will determine whether the complaint is one that is covered by this Policy. If not, the complaint may be referred to another College complaint/dispute resolution procedure. Upon actual knowledge of an alleged violation of this policy, the College will respond promptly in a manner that is not deliberately indifferent, meaning a response that is not clearly unreasonable in light of the known circumstances. The College will treat complainants and respondents equitably and will follow the appropriate process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

For Title IX purposes, once a formal complaint is ~~signed~~ **received**, the Title IX Coordinator will initiate the investigation process, and the Title IX Investigator will conduct the investigation. The investigation will be conducted in a reasonably prompt time frame, and complainants and respondents will be treated equitably and in a manner that is not deliberately indifferent. This time frame and treatment of the parties also apply to any appeal process.

If a complaint appears to be covered by this Policy, the responsible investigator will promptly meet with the complainant to obtain any necessary information, including a detailed description of the incident(s) and the identity of any witnesses. The investigator will then seek additional information and evidence as appropriate. Any person(s) against whom a complaint is made will be timely notified of the complaint and a meeting to discuss the complaint may be scheduled as appropriate.

The investigator will maintain appropriate documentation of the complaint and will disclose information to others with a legitimate interest consistent with internal procedures, this Policy, and state and federal law. In appropriate cases, the investigator may make a referral to and cooperate with criminal justice agencies for possible investigation and prosecution. The College, however, will continue with its investigation independent of any investigation conducted by law enforcement agencies.

During the investigation, the College has the responsibility of collecting evidence. **Whenever permitted under law, rule, regulation, or college policy, each party has an advisor of choice and an equal opportunity to present and suggest witnesses and to submit inculpatory and exculpatory evidence.** ~~Parties will have equal access to evidence, written reports, witness statements, and other information relevant to the investigation.~~ Respondents are presumed not to have violated any policy until a determination regarding

responsibility is made at the conclusion of the process.

Upon conclusion, if required or appropriate, the College will notify the complainant and respondent **simultaneously** of the results of the College's investigation. **Parties will have equal access to evidence, written reports, witness statements, and other information relevant to the investigation. Parties will receive a draft report of the investigative findings prior to the final determination.** In the event the investigation reveals a violation of this or any other College Policy, corrective action will be taken by the College. Where prohibited discrimination and/or harassment is found, steps will be taken to end it immediately. Disciplinary action may be imposed if appropriate. The level of discipline will depend on the severity of the discrimination, harassment, or misconduct and may include, but is not limited to, probation, suspension, expulsion, or termination from the College. The College may also take other corrective or remedial action to address the effects of any violation of this Policy and will follow up as necessary to ensure that the corrective or remedial action is effective.

In determining whether or not an incident involves prohibited discrimination, harassment, or sexual misconduct, the College uses the "preponderance of the evidence" (also known as "more likely than not") as the standard for proof. In campus resolution proceedings, legal terms like "guilt," "innocence," and "burden of proof" are not applicable, and the College never assumes a responding party is or is not in violation of the College Policy. College resolution proceedings are conducted to take into account the totality of all relevant evidence available.

The full Title IX procedure when the respondent is a student can be found on the [Title IX and Sexual Misconduct](#) website.

The full Title IX investigatory procedure when the respondent is an employee can be found on the [Title IX and Sexual Misconduct](#) website.

I. Relationship to Other Policies

This Policy is closely related to the College's broader policy that prohibits unlawful discrimination or harassment by or against any member of the LCC Community on the basis of the member's race, color, sex, age, religion or creed, national origin, or ancestry, familial status, disability, marital status, height, weight, sexual orientation, gender, gender identity, gender expression, genetic information, veteran or military status, or any other factor prohibited by law.

The College is committed to protecting, maintaining, and encouraging both freedoms of expression and full academic freedom of inquiry and teaching. Academic freedom and freedom of expression will be carefully considered in investigating and reviewing complaints and reports of prohibited discrimination, harassment, or sexual misconduct. However, raising issues of academic freedom and freedom of expression will not excuse behavior that constitutes a violation of the law or the College's Prohibited Sex or Gender-Based Discrimination, Harassment, and Sexual Misconduct Policy.

The College's Policy on Consensual Relationships addresses a variety of restrictions on relationships between students, faculty, staff, and administrators. Compliance with that policy will not excuse a violation of this Policy.

IV. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Executive Director of Human Resources or his/her designee as applicable.

IT WAS MOVED BY Trustee Proctor and seconded by Trustee Frazier to suspend the Board's Bylaws to approve the policies.

Roll call vote:

Ayes: Mathews, Proctor, Thomas, Frazier, Lovell, Taylor

Nays: None

Absent: Garcia

The motion carried.

IT WAS MOVED BY Trustee Proctor and seconded by Trustee Thomas that the Anti-Hazing policy, Clery Act policy, Program Review policy, and the Prohibited Sex or Gender-Based Discrimination, Harassment, and Sexual Misconduct policy be approved.

Roll call vote:

Ayes: Taylor, Frazier, Proctor, Mathews, Thomas, Lovell

Nays: None

Absent: Garcia

The motion carried.

Linkage Planning/Implementation

Community Linkage – Chair's Report

Chair Mathews thanked Dr. Samuel and her team for the opportunity to be a part of the Michigan ACE conference panel.

Committee Report – Audit Committee

Trustee Proctor stated that Michelle Fowler, CPA, Engagement Principal at Rehmann, provided a review of the scope of services for the upcoming professional services plan for the year ending June 30, 2025. Her review also included due dates, timing of services, key audit and accounting matters of interest, significant risks of material misstatement, and new accounting and auditing pronouncements. Ms. Fowler will provide an update on the status of the Annual Financial Audit Report and the Single Audit Act Compliance for the year ended June 30, 2025, to the Audit Committee in September.

Because the Audit Committee was not meeting over the summer, he presented the June 2, 2025, Audit Committee meeting minutes for approval to prevent a lag in the approval process.

IT WAS MOVED BY Trustee Proctor and seconded by Trustee Thomas that the June 2, 2025, Audit Committee meeting minutes be approved.

Roll call vote:

Ayes: Proctor, Taylor, Mathews, Frazier, Lovell, Thomas

Nays: None

Absent: Garcia

The motion carried.

Board Member Report – Foundation Board Update

Trustee Frazier gave the following Foundation Board Update:

- The Star Day of Giving received support for 12 programs, raising over \$14,250 through 152 contributions from 87 donors.
- Dr. Samuel and her MI-ACE committee generated \$20,250 in cash sponsorships and over \$10,000 in non-cash (in-kind) donations for a program fund at the Foundation.
- Members of the Employee Development Fund recently traveled to Detroit to attend a Tigers game. They have a trip planned next week to Meijer Gardens, and they are also volunteering at the Greater Lansing Food Bank, Habitat for Humanity, and with the Girl Scouts.
- On June 22, family and friends of Treston Davis-Faulkner will gather in the Michigan Room and online to honor what would have been his 50th birthday. In addition to sharing stories, they will be raising funds for the Treston Davis-Faulkner Scholarship, which supports Lansing youth in their pursuit of success.

Unfinished Business

There was no Unfinished Business.

New Business

There was no New Business.

Public Comment

Dave Wasinger: Dave Wasinger, President of ASP Union, addressed the Board regarding the ASP collective bargaining agreement.

Board Comment

Trustee Taylor made comments.

Closed Session

IT WAS MOVED BY Trustee Frazier and seconded by Trustee Lovell that the Board enter

into a Closed Session for the purpose of discussing the Executive Assistant/Liaison's yearly performance review per her request to be undertaken in a closed session in accordance with Section 8 (a) of the MI OMA, and to discuss strategies and negotiation sessions connected with collective bargaining agreements under Section 8(c) of the OMA.

Roll call vote:

Ayes: Frazier, Lovell, Proctor, Mathews, Taylor, Thomas

Nays: None

Absent: Garcia

The motion carried.

The Board entered into a closed session at 7:09 p.m.

The Board returned to an open session at 8:50 p.m.

Present: Frazier, Lovell, Mathews, Proctor, Taylor, Thomas

Absent: Garcia

IT WAS MOVED BY Trustee Frazier and seconded by Trustee Lovell that Ms. Duncan's performance evaluation be approved.

Roll call vote:

Ayes: Thomas, Taylor, Lovell, Frazier, Proctor, Mathews

Nays: None

Absent: Garcia

The motion carried.

IT WAS MOVED BY Trustee Frazier and seconded by Trustee Lovell to approve Ms. Duncan's 4% increase in salary, effective July 1, 2025.

Roll call vote:

Ayes: Lovell, Mathews, Frazier, Proctor, Thomas, Taylor

Nays: None

Absent: Garcia

The motion carried.

IT WAS MOVED BY Trustee Frazier and seconded by Trustee Lovell that the collective bargaining agreement for the Association of Support Professionals (ASP) MEA/NEA be approved.

Roll call vote:

Ayes: Proctor, Thomas, Mathews, Taylor, Frazier, Lovell

Nays: None

Absent: Garcia

The motion carried.

IT WAS MOVED BY Trustee Frazier and seconded by Trustee Taylor that the collective bargaining agreement for the Facilities Maintenance Association (FMA) MEA/NEA be approved.

Roll call vote:

Ayes: Taylor, Proctor, Lovell, Thomas, Mathews, Frazier

Nays: None

Absent: Garcia

The motion carried.

Adjournment

IT WAS MOVED BY Trustee Mathews and seconded by Trustee Thomas that the meeting be adjourned.

Ayes: Mathews, Lovell, Thomas, Frazier, Proctor, Taylor

Nays: None

Absent: Garcia

The motion carried.

The meeting adjourned at 8:56 p.m.

Submitted,



Executive Assistant/Liaison to the Board
Benita Duncan