



# College Safety and Security Resource Guide

## 2025 Annual Security Report

*(for the 2024 calendar year & containing crime statistics for 2024, 2023 and 2022)*

**Student Standards of Conduct**

**Stop Campus Hazing Act**

**Drug Free Schools and Communities Act**

**Campus Security and Crime Awareness**

**Sexual Assault, Sexual Harassment, and Stalking**

**Crime Statistics**

**Family Educational Rights and Privacy Act (FERPA)**

This document is compiled on an annual basis and contains all the 20 U.S.C. Sec. 1092(F) Clery Act reporting requirements and the Family Education Rights and Privacy Act (FERPA) 20 U.S.C. Sec. 1232(g) notification.

**To: Waukesha County Technical College Students and Employees**

This information is brought to you as part of Waukesha County Technical College’s commitment to safety and security.

WCTC is a two-year district and state-supported institution of higher education. The College provides services from the Main Campus located in Pewaukee, Wisconsin, and the Waukesha Campus located in Waukesha, Wisconsin.

The Stop Campus Hazing Act went into effect on January 1, 2025, is a federal law that requires colleges and universities that receive federal funding to increase transparency and prevention efforts for hazing incidents. It mandates public disclosure of hazing incidents in Annual Security Reports, the publication of a hazing transparency report, and the implementation of campus-wide, research-informed hazing prevention training programs.

Under the Drug Free Schools and Communities Act of 1989, we are required to publish and distribute information that the College has adopted and implemented a drug-prevention program for all students and employees, which includes:

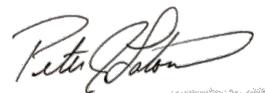
1. *Standards of conduct that clearly prohibit, at a minimum, unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.*
2. *A description of the applicable legal sanctions under local, state or federal law for the unlawful possession or distribution of illicit drugs and alcohol.*
3. *A description of health risks associated with the use of alcohol and other drugs.*
4. *A description of any drug or alcohol counseling, treatment or rehabilitation programs that is available to students or employees.*
5. *A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, state, and federal law) and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.*

Waukesha County Technical College is engaged in a continuing educational effort to raise awareness of students, staff, and the community to the problems associated with alcohol and other drug abuse/dependency. We all have a shared responsibility to comply with the Drug Free Schools and Communities Act. Your cooperation will be greatly appreciated.

Sincerely,



Sherry Simmons  
Manager, Employee Compliance



Pete Latona  
Director, Campus Security & Risk

# Table of Contents

STUDENT STANDARDS OF CONDUCT .....	6
Behavioral Misconduct.....	6
Behavioral Reporting-Campus Assessment, Response, & Education Team.....	7
Sanctions for Behavioral Misconduct .....	7
Academic Ethics Code of Conduct.....	9
Guidelines for Academic Ethics .....	9
Academic Ethics Misconduct .....	9
Sanctions for Academic Ethics Violations .....	10
College Level Process.....	10
Appeal Process for Academic Ethics Violations .....	10
Submitting an Appeal .....	11
Appeal Decision .....	11
Complaint and Grievance Procedure for Waukesha County Technical College Students .....	11
Complaint and Grievance Procedure Steps .....	12
Wisconsin Technical College System (WTCS) Complaint Process .....	12
STOP CAMPUS HAZING ACT .....	13
Definitions .....	13
Hazing .....	13
Student Organization .....	13
Hazing Prevention & Awareness Programs .....	14
How to Report Hazing .....	14
Process Used to Investigate Hazing Reports.....	15
Initial Review .....	15
Interim Action.....	16
Investigation.....	16
Sanctions & Remedial Measures.....	17
Information Regarding Applicable Local, State, and Local Laws on Hazing .....	17
Campus Hazing Transparency Report.....	17
DRUG FREE SCHOOLS AND COMMUNITY ACT .....	17
Alcohol and Drug Policies.....	17
Summary of the Health Effects of Drugs and Alcohol .....	18
Alcohol.....	19
Drugs .....	19
Federal and State of Wisconsin Legal Sanctions .....	20
Federal .....	20
Wisconsin.....	20
Resources.....	20
On-Campus .....	20
Off-Campus .....	21
How to Help .....	22
Warning Signs .....	22
How You Can Help .....	23
CAMPUS SECURITY AND CRIME AWARENESS .....	23
Campus Security Authorities .....	23
Campus Law Enforcement and Security Services .....	23

Security and Access to Campus Facilities .....	24
Security Considerations Used in the Maintenance of Campus Facilities .....	24
Crime and Emergency Reporting Procedures.....	25
Response to a Report.....	25
Voluntary Confidential Reporting.....	26
Professional Counselors .....	26
Daily Crime Log .....	26
Timely Warnings .....	26
Notification of an Immediate Threat .....	27
Crisis Management Team.....	29
Emergency Response Guide.....	30
Emergency Evacuation Procedures .....	30
General Evacuation Procedures .....	31
Shelter-in-Place Procedures-What it means to “Shelter-in-Place” .....	31
Basic “Shelter-in-Place” Guidance .....	31
How You Will Know to “Shelter-in-Place” .....	31
How to “Shelter-in-Place” .....	31
Emergency Medical Response Procedures .....	32
Fire Safety Report and Missing Student Notification Procedures .....	33
Crime Prevention and Security Procedures.....	33
<b>SEXUAL ASSAULT AND HARASSMENT .....</b>	<b>34</b>
Policies and Procedures Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking .....	34
Definitions-VAWA.....	34
Definitions-State of Wisconsin .....	35
Definition-Waukesha County Technical College .....	37
How to Be an Active Bystander.....	38
Risk Reduction.....	38
Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking .....	39
Primary Prevention and Awareness Programs .....	40
Ongoing Prevention and Awareness Campaigns .....	41
Procedures Reporting Party(s) Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault, and Stalking Occurs.....	42
Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault, and Stalking.....	44
Involvement of Law Enforcement and Campus Authorities.....	45
Off-Campus Reporting.....	45
On-Campus Reporting.....	45
Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault, and Stalking is Reported.....	46
Assistance for Reporting Party(s): Rights and Options .....	48
Restraining Orders/Orders of Protection .....	48
Rights of Reporting Party(s) and the Institution’s Responsibilities for Orders of Protection, “No Contact” Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution.....	48
Accommodations and Protective Measures Available for Reporting Party(s) .....	49
On and Off Campus Services for Reporting Party(s) .....	50
Confidentiality .....	51
Adjudication of Violations .....	51

Investigation Process for Dating Violence, Domestic Violence, Sexual Assault, & Stalking .....	52
Overview.....	53
Key Definitions .....	53
Reporting Actual or Suspected Sex Discrimination or Sexual Harassment Informal Reporting.....	55
Discussion and Implementation of Supportive Measures .....	55
Formal Reporting.....	56
Formal Grievance Process: Preliminary Inquiry.....	57
Dismissal .....	57
Temporary Suspension.....	57
Emergency Removal .....	58
Further Pursuance of the Grievance Process and Notice .....	58
Advisors.....	58
Informal Resolution .....	59
Formal Grievance Process: Investigation .....	60
Withdrawal or Resignation While Charges Pending .....	61
Students .....	61
Employees .....	61
Formal Grievance Process: Live Hearing .....	61
Conduct of Hearing.....	62
Additional Rights and Authority of the Decision Maker(s) .....	62
Formal Grievance Process: Determination Regarding Responsibility.....	63
Sanctions .....	63
Examples of Student Sanctions.....	64
Examples of Employee Sanctions .....	64
Formal Grievance Process: Appeals .....	65
Retaliation .....	66
Records .....	66
Revision.....	66
Preparation of the Annual Disclosure of Crime Statistics.....	67
Sex Offender Registration.....	67
HIGHER EDUCATION OPPORTUNITY ACT (HEOA) NOTIFICATION TO VICTIMS OF CRIMES OF VIOLENCE .....	67
SEPARATE CAMPUSES.....	68
Crime Statistics-WCTC Main Campus (Pewaukee).....	69
Criminal Offenses Reporting Table .....	69
VAWA Offenses Reporting Table .....	69
Arrests & Disciplinary Referrals Reporting Table .....	70
Hate Crimes.....	70
Unfounded Statistics .....	70
Crime Statistics-WCTC Waukesha Campus .....	71
Criminal Offenses Reporting Table .....	71
VAWA Offenses Reporting Table .....	71
Arrests & Disciplinary Referrals Reporting Table .....	72
Hate Crimes.....	72
Unfounded Statistics .....	72
Wisconsin Sexual Assault Data.....	72
PRIVACY OF RECORDS – RELEASE OF WRITTEN INFORMATION.....	73
Notification.....	73

Student Rights under FERPA..... 73  
Exceptions under FERPA ..... 73  
    Directory Information..... 73  
    U.S. Military ..... 74  
    Authorized Federal, State, and Local Authorities..... 74  
    Other Educational Institutions..... 74  
    Emergency Situations ..... 74  
    Legitimate Educational Interest ..... 74  
    Judicial Order ..... 75  
    Grievance Hearing ..... 75  
    Disciplinary Hearing ..... 75  
    U.S. Patriot Act..... 75  
    Written Release..... 75

## STUDENT STANDARDS OF CONDUCT

Waukesha County Technical College (WCTC), as a community dedicated to learning, personal growth, and the advancement of knowledge, expects and requires the behavior of all WCTC students to be compatible with its standards of scholarship and conduct. Acceptance of admission to WCTC carries with it an obligation for the welfare of its community. All individuals and/or groups of the WCTC community are expected to speak and act with respect for the human dignity of others, both in and outside the classroom and during social, recreational, and academic activities. WCTC encourages the free exchange of ideas and opinions but expects that the free expression of views will be made with respect for the human dignity and freedom of others. WCTC expects the highest standards of conduct for its students. While many standards of conduct parallel the laws of society in general, WCTC standards may be more stringent and set higher than the expectations of the law.

The Student Code of Conduct sets forth the conduct standards expected of all WCTC students. WCTC is an institution of higher education dedicated to preparing students to meet regional employment demands. The WCTC Code of Conduct is guided by the College values of Integrity, Community, Social Justice, Respect, and Responsibility. The purpose of this Code is to encourage and promote a positive and inclusive learning environment. The Student Code of Conduct lists procedures to respond to behaviors that violate the Code of Conduct, and it provides for sanctions that are intended to educate and safeguard members of the College community.

Students at WCTC are responsible for knowing the information, policies, and procedures outlined in the Student Code of Conduct and acknowledge the right of WCTC to take action when a violation of the Student Code of Conduct occurs. The College applies the preponderance of evidence (information showing that it is more likely than not that a policy violation occurred) standard in determining if a violation has occurred and provides consequential action/sanctions up to, and including, behavioral warning, probation, suspension, expulsion, or withdrawal. WCTC reserves the right to make changes to this Code as necessary, and once those changes are posted online, they are immediately in effect. Students are encouraged to check online on the WCTC website for the updated versions of all policies and procedures. By accepting admission to WCTC, a student accepts responsibility to adhere to the Code of Conduct and acknowledges the right of WCTC to take conduct action, up to and including suspension or expulsion.

The full [Student Code of Conduct](#) can be found on the College Website and on the College Portal.

### ***Behavioral Misconduct***

In order to maintain high standards of instruction and to permit all who attend WCTC to obtain the most from their educational experience, students will:

- a) conduct themselves in a manner as to comply with all civil and criminal laws and College policies and regulations while on WCTC properties or off-site school-sponsored events including but not limited to clinicals, class and club field trips etc.;
- b) not interfere with the educational process of the College in any manner; and
- c) conduct themselves both on-campus and off-site in a manner that does not endanger the safety or well-being of other students, staff or faculty.

The student conduct process at WCTC is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with WCTC community expectations. When a student is unable to conform their

behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of WCTC policy without information showing that it is more likely than not that a policy violation occurred, and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

The student conduct process may occur simultaneously, prior to, or following any criminal, employment, or other proceeding. A student charged with violating the Code of Conduct may not avoid the conduct process by withdrawing from the College. Student conduct proceedings may continue without the student's participation, and a student may not be permitted to acquire records or make registration changes until the matter is resolved. A student may be sanctioned regardless of enrollment status. The student will be notified through their WCTC email account or via certified letter.

If students have any questions about this Code, please contact Student Life at 262.691.5302.

### ***Behavioral Reporting-Campus Assessment, Response, & Education Team***

The *Campus Assessment, Response & Education (CARE) Team* is concerned with the care, welfare, safety, and security of all College students, faculty, and staff, and is committed to providing an environment where individuals are free to work, learn, and teach, unencumbered and uninhibited by threats of intimidation and harm. The Dean of Students chairs the CARE Team.

The CARE Team receives all reports of behavioral concerns. The CARE Team provides a collaborative, cross-functional approach to assessing and responding to individuals who might pose a threat to themselves or others. Any behaviors of concern such as individuals who are making inappropriate comments or threats, or exhibiting disruptive behavior should be reported. To submit a report, use the following link: [Student Conduct Violation Report](#).

Members of the Campus Assessment, Response, & Education (CARE) Team are:

- Director of Campus Security & Risk
- Assistant Director of Student Life
- Student Support Coordinator
- Manager, Employee Compliance
- Director of Student Accessibility
- Director of Mental Health Counseling Services
- Academic Liaison

### ***Sanctions for Behavioral Misconduct:***

One or more of the following sanctions may be imposed upon any student for any single violation of the Student Code of Conduct. Any sanction imposed under the conduct violations will be in effect at all campuses/sites or functions sponsored by or under the supervision of WCTC. Sanctions may be imposed upon groups or organizations found to have violated the Code of Conduct.

1. **Warning:** An official written notice that the student has violated WCTC policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at WCTC.
2. **Fines:** Reasonable monetary fines may be imposed.
3. **Restitution:** Compensation for damage caused to WCTC or any person's property. This could also include situations such as failure to return a reserved space to the proper condition-labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
4. **Community/WCTC Service Requirements:** For a student or organization to complete a specific supervised WCTC service.
5. **Loss of Privileges:** The student will be denied specified privileges for a designated period of time. This may include facility suspension. The student no longer has the privilege of entering and/or residing in a particular facility or building for a specified period of time or until a specific condition is met.
6. **Confiscation of Prohibited Property:** Items whose presence is in violation of WCTC policy will be confiscated and will become the property of WCTC. Prohibited items may be returned to the owner at the discretion of the Dean of Students and/or Campus Police.
7. **Behavioral Requirement:** This includes required activities including, but not limited to, substance abuse screening, writing a letter of apology, etc.
8. **Educational Program:** Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. The audience may be restricted.
9. **Disciplinary Probation:** The student is not in good standing for a designated period of time and is sent a letter of warning that further acts of misconduct will be subject to further conduct action and may result in suspension or expulsion from WCTC particularly if the incident occurs during the probationary period.
10. **Eligibility Restriction:** The student is deemed "not in good standing" with WCTC for a specified period of time. Specific limitations or exceptions will be determined by the Dean of Students, and terms of this conduct sanction may include but are not limited to the following:
  - a. Ineligibility to hold any office in any student organization recognized by WCTC or hold an elected or appointed office at WCTC;
  - b. Ineligibility to represent WCTC to anyone outside the WCTC community in any way including participating in a study abroad program, attending meetings, or representing WCTC at an official function, or event etc.; and
  - c. Removal from class – student is barred from attending a particular class or may be reassigned to a different section of the same class. Specifics will be coordinated between the Dean of Students or designee and the appropriate academic administrator.
11. **WCTC Suspension:** Separation from WCTC for a specified minimum period of time, after which the student is eligible for possible re-enrollment. Eligibility to return may be contingent upon satisfaction of specific conditions noted at the time of suspension. During the suspension period, the student is banned from WCTC property, functions, events, and activities without prior written approval from the Dean of Students or designee. This sanction may be enforced with a trespass action, as necessary. A student returning from a disciplinary suspension will be placed on disciplinary probation for one (1) year.
12. **WCTC Expulsion:** Permanent separation from WCTC. The student is banned from WCTC property, and the student's presence at any WCTC-sponsored activity or event is prohibited. This action may be enforced with a trespass action, as necessary.

- a. If a student is suspended, expelled, or removed as a part of a withdrawal agreement, they will be subject to the same refund policy as if they had voluntarily withdrawn from the College. For more information and the current refund timeline, please contact the Registration Department.
13. **Other Sanctions:** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Dean of Students, or designee. Examples include work assignments or service, essays, administrative referrals, or other related discretionary assignments.

### ***Academic Ethics Code of Conduct***

The purpose of this code is to encourage and promote positive learning and ethical student behavior, define behavior violating academic ethics, specify procedures for the determination of the facts of the alleged misconduct, and to define sanctions. It is the responsibility of the student to maintain the highest ethical standards in academic achievement within the positive learning environment provided by the College.

### **Guidelines for Academic Ethics**

Students assume full responsibility for the content and integrity of the course work they submit. The following is a guide to assist students in observing positive behavior in academic ethics:

- Students must do their own work and submit only their own work on examinations, reports and projects, unless otherwise permitted by the instructor.
- Students can benefit from working in groups. They may collaborate or cooperate with other students during take-home or open-book exams, only if specifically authorized by the instructor in the class syllabus or at the time of the exam.
- Students must follow all written and/or verbal instructions given by instructors or designated College representatives prior to taking exams, placement assessments, tests, quizzes and evaluations.
- Students are responsible for adhering to course requirements, including conduct and attendance in the course, as specified by the instructor and/or department.
- Students must always demonstrate professional and civil behavior toward their instructor and fellow students. This includes interactions in and out of the classroom and electronic communication.
- A student that suspects another student of academic misconduct is encouraged to report the incident to the instructor.

### **Academic Ethics Misconduct**

Students enrolled in the College assume the obligation of conducting themselves in accordance with the highest ethical standards. Actions constituting violation of the Academic Ethics Code of Conduct include, but are not limited to, the following:

- Plagiarism (turning in work of another person and not giving them credit)
- Stealing an exam or course materials
- Copying another student's homework, paper or exam
- Cheating on an exam (copying from another student, turning in an exam for re-grading after making changes or working on an exam after the designated time allowance)
- Cheating, which is intentional deceit or an attempt to deceive, during the pursuit of academic course work.
- Collusion is obtaining or giving a student unauthorized assistance on material in any course work.
- Theft of instructional and test materials is the unauthorized acquisition of instructional and/or testing materials.

- Falsifying academic documents

### **Sanctions for Academic Ethics Violations**

When an instructor suspects academic ethics violations have occurred, he/she shall inform the student via their WCTC email of the general facts or conduct upon which the allegation is based, including (as appropriate) the assignment and the date of when alleged conduct took place. A meeting will take place to allow the student to state their case. If the instructor determines that a violation did not occur, no further action is necessary.

If the instructor determines the violation did occur, the instructor will apprise the Associate Dean of the situation and the chosen course of action.

One or more of the disciplinary sanctions listed may be imposed.

1. The instructor may choose to:
  - Warn the student of unacceptable behavior;
  - Issue an alternative assignment, project or examination;
  - Reduce the grade, or assign a failing grade for the assignment, project or examination;
  - Assign a failing grade for the course; (with prior approval from the Associate Dean)

The instructor will communicate the sanction to the student via WCTC email.

2. In addition to the sanctions described above, the Academic Dean may impose one or more of the following:
  - Academic suspension from the College
  - Academic expulsion from the College

The Academic Dean will communicate the sanction to the student via WCTC email.

Prior to possible re-enrollment, the student will be required to meet with Student Life and Academic Dean and/or designee of the program. Any further Academic Ethics Code violations after re-entry may result in permanent expulsion from the College.

### **College Level Process**

Repeat academic integrity violations and/or allegations that include possible violations of other Student Code of Conduct standards may be referred to Student Life to be addressed through the Student Code of Conduct procedure.

Allegations referred to Student Life may include, but is not limited to, one or more of the following:

- Verbal or written warning
- Non-academic probation
- Suspension or dismissal from the College

### **Appeal Process for Academic Ethics Violations**

A student who disagrees with the findings of responsibility or the sanctions levied may choose to request an appeal, which is only allowed in cases where the sanction is a failing grade, suspension or expulsion. (Sanctions for Academic Ethics violations that result in a failing course grade can only be appealed through this appeal process, not a Final Grade Appeal).

Appeals requests are limited to the following grounds and are only allowed in a case where the sanction was a failing grade, suspension or expulsion:

1. A procedural error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
2. New evidence that was unavailable during the original meeting or investigation and could substantially impact the original finding or sanction may be considered, provided that a summary of this new evidence and its potential impact is included.
3. The sanctions imposed are substantially outside the parameters or guidelines set by WCTC for this type of offense or the cumulative conduct record of the responding student.

### **Submitting an Appeal**

Appeals are not intended to be full re-hearings of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original meeting and pertinent documentation regarding the grounds for appeal; witnesses may be called if necessary. Appeals are not an opportunity to second-guess the judgment of the original decision-maker merely because the student disagrees with the finding and/or sanctions. Appeals decisions are to be deferential to the original decisionmaker, making changes to the finding only when at least one of the three criteria that create grounds for an appeal are met, and to the sanction only if there is a compelling justification to do so.

An appeal must contain the following information:

1. Reason for the appeal request.
2. The name, address, telephone number, and WCTC email of the party.
3. A clear statement explaining the nature and circumstances of the appeal, citing the new evidence and/or the explanation with specifics of the alleged lack of fairness in the prior hearing.

All appeals requests should be made within ten calendar days of the student receiving notification of the violation's outcome. A final decision will be made after full review and consideration of the process and related information. All student communication will be sent through their WCTC email account or via certified letter.

### **Appeal Decision**

- Appeals for an academic suspension or expulsion will be addressed by the Associate Vice Provost of Academic Affairs or designee. The decision of the Associate Vice Provost of Academic Affairs or designee is final.
- If you have questions on the appeal process or need further assistance, please contact Student Life at 262-691-5302.

### ***Complaint and Grievance Procedure for Waukesha County Technical College Students***

Whenever possible, the student should attempt to resolve the issue directly with the staff member involved, as described in step one. However, if a student is not comfortable doing so, they should discuss the matter with the staff member's supervisor, thereby proceeding directly to step two. All members of the WCTC community are expected to interact with civility and respect throughout the complaint process. Whenever possible, the student should attempt to resolve the issue directly with the staff member involved, as described in step 1. However, if a student is not comfortable doing so, they should discuss the matter with the staff member's supervisor, thereby proceeding directly to step 2. All members of the WCTC community are expected to interact with civility and respect throughout the complaint process. If you are uncertain who to direct your complaint to, please contact Student Life at 262.691.5302 or stop by the Student Life Office, C-121.

## **Complaint and Grievance Procedure Steps**

1. The student should attempt to resolve the issue through an informal discussion with the appropriate staff member within thirty (30) business days of the alleged incident or most recent occurrence. However, as noted above, if a student is not comfortable doing so, they should discuss the matter with the staff member's supervisor, thereby proceeding directly to step two.
2. If the complaint remains unresolved, the student should submit, in writing, the nature and cause of the complaint to the immediate supervisor. The immediate supervisor will meet with the student and the staff member and respond to both in writing.
3. If the complaint remains unresolved, the student should submit, in writing, the nature and cause of the complaint and desired outcome(s) to the department/unit supervisor. The department/unit supervisor or other appropriate staff person will meet with the student and the staff member and respond to both in writing within seven (7) calendar days. A copy will be forwarded to Student Life, or designee.
4. If the issue remains unresolved after such meeting, the student may, within ten (10) calendar days after receiving the department/unit supervisor or other staff members' written response, submit an official [General Complaint Form](#). The Student Life Office will reach out to reporter for additional information and next steps.

If you feel that you have been treated differently, harassed, or retaliated against on the basis of your race, color, national origin, religion, sex, sexual orientation, disability, age, status as a veteran or special disabled veteran, gender identity and expression, and/or other characteristic prohibited by law, you should contact Student Life at 262.691.5302.

## ***Wisconsin Technical College System (WTCS) Complaint Process***

If a student believes there has been misinterpretation or misapplication of WCTC policy or procedure, and that such misinterpretation or misapplication falls into one of the three categories listed below, he or she may file a complaint with the Wisconsin Technical College System office.

Students who attend a college that is part of the WTCS can file complaints at the state level in three categories defined by the United States Department of Education:

- Complaints that allege violations of Wisconsin consumer protection laws, including but not limited to false advertising;
- Complaints that allege violations of Wisconsin laws related to the licensure of postsecondary institutions; or
- Complaints relating to the quality of education or other State or accreditation requirements. A student who reasonably believes that a violation has occurred in one or more of these categories may file a written complaint. Complaints must be signed by the student and submitted on the official Student Complaint Form, available at: [WTCS Student Complaint Form](#).

Complaints must be filed within one year from the date of the alleged violation or the last recorded date of attendance, whichever is later. The WTCS will review complaints only after students attempt to resolve the matter through applicable College appeals or complaint processes.

By signing and submitting a complaint form, the student consents to disclosure by Waukesha County Technical College or the WTCS of any protected or confidential information that may be needed to review, investigate, and/or resolve the complaint; this includes referring complaints to another organization with jurisdiction and authority over the issue. The student also agrees to provide requested information and/or

respond to questions about the complaint. Failure to provide requested information or respond to questions about the complaint may result in the WTCS dismissing the complaint.

*Notice: Under the Wisconsin Public Records Law, Ch. 19, Wis. Stats., any record or document that is part of the complaint review may be subject to disclosure upon request by a member of the public upon conclusion of WTCS action on the complaint, unless specifically exempt under law.*

## **STOP CAMPUS HAZING ACT**

The College prohibits students, employees, officers, contractors, and volunteers from engaging in, or attempting to engage in, hazing.

### **DEFINITIONS**

***Hazing:*** The term “hazing” means 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, that:

- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- Causes or creates 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.

Hazing also involves any other activity not addressed by this definition that is expected of someone joining or participating in a student organization that humiliates, degrades, abuses, or endangers them, regardless of a person’s willingness to participate.

***Student Organization:*** The phrase “student organization” means an organization at the College (such as a club, society, association, or student government) in which two or more of the members are students enrolled at the College, whether or not the organization is established or recognized by the College.

Regardless of whether a student organization is recognized or established by the College, it is not subject to the College’s disciplinary jurisdiction. Individuals who violate the standards of conduct outlined in this policy will be held accountable. In addition, any student organization recognized or established by the College that is found to be responsible for violating the College’s Hazing policy will be recorded in the Campus Hazing Transparency Report. Further, all reports of hazing involving student organizations—

regardless of whether the organization is established or recognized by the College—that occur in the College’s Clery Geography will be included in the College’s Clery Crime Statistics report.

The College reserves the right to hold a sub-group of an organization accountable for Hazing policy violations, rather than the entire student organization, when circumstances reasonably indicate a sub-group, not the whole student organization, committed the policy violation.

## **HAZING PREVENTION AND AWARENESS PROGRAMS**

In furtherance of its commitment to maintaining a safe and respectful environment, the College offers a range of hazing prevention and awareness programs informed by research, campus-wide in scope, and designed to equip students, faculty, and staff to recognize, report, and prevent hazing behaviors.

These prevention and awareness programs address a variety of topics, including:

- the College’s definition of hazing and student organization,
- the College’s prohibition against hazing;
- how to report hazing and the process the College will use to investigate and respond to reports of hazing;
- information on applicable local, State, and Tribal laws regarding hazing; and
- primary prevention strategies intended to stop hazing before it occurs.

Among the prevention and awareness strategies the College has implemented are the following:

- Mandatory Annual Club Advisor Training, including bystander intervention education;
- Promotion of ethical leadership and non-hazing group cohesion, including through strategy-building workshops offered by Student Life;
- Educational awareness on campus-wide club marketing bulletin boards and Student Life display cases;
- Bi-annual campus-wide anti-hazing education sent to all credited enrolled students via official College email; and
- Staff presentations to all students attending New Student Orientation, which covers hazing prevention.

The College intends to periodically review these programs for effectiveness and make adjustments as necessary, based on its review, feedback, and any trends in incident reports.

## **HOW TO REPORT HAZING**

Hazing is prohibited at the College. Any individual who experiences or witnesses hazing is strongly encouraged to report the incident immediately. Incidents involving an in-progress crime or emergency should be reported immediately to the local law enforcement agency with jurisdiction by dialing 911.

Reports of hazing can be made to the College via its reporting system, in person, by phone, or by email using the contact information below.

- WCTC students, employees, and community members may submit all hazing reports and concerns via the WCTC reporting system by using the following links:
  - Students and Staff – Report
  - Community Members – Report

Reporters may submit their reports anonymously, but please note that doing so may impede the college's ability to address the incident effectively.

In addition, incidents of Hazing involving **students** can be reported to any of the following offices and/or individuals:

- The Student Life Office – [studentlife@wctc.edu](mailto:studentlife@wctc.edu) or 262.691.5302
- The Dean of Students – 262.691.5295
- Director of Campus Security and Risk – 262.691.5225
- WCTC Campus Police – 262.691.5582

Incidents of Hazing involving **employees** can be reported to any of the following offices and/or individuals:

- Manager, Employee Compliance-[compliance@wctc.edu](mailto:compliance@wctc.edu) or 262.695.3481
- Vice President, Human Resources and Legal Affairs-[hrrservices@wctc.edu](mailto:hrrservices@wctc.edu) or 262.691.5565
- Director of Campus Security and Risk - 262.691.5225
- WCTC Campus Police – 262.691.5582

## **PROCESS USED TO INVESTIGATE HAZING REPORTS**

All reports of hazing involving a student and/or student organization respondent will be reviewed by the Dean of Students or their designee. All reports of hazing involving an employee respondent will be reviewed by the Manager, Employee Compliance, or their designee. In relation to the College's Hazing policy, the term "respondent" refers to a student, a recognized or registered student organization, or an employee who is alleged to have engaged in hazing.

### ***Initial Review***

Upon receipt of a report alleging hazing, the Dean of Students or their designee will conduct an initial review of the report and determine if the alleged behavior, as described in the report, would constitute hazing as defined by the College. The Dean of Students, or designee, is empowered to take reasonable steps to obtain additional information that may be necessary to determine if a policy violation has been alleged or to determine if an investigation is warranted.

The Dean of Students or their designee will also determine which College official(s) or office(s) have jurisdiction over the respondent(s). The Dean of Students may consult with applicable College officials when determining which individual(s) or office(s) have jurisdiction over the respondent(s). When determining jurisdiction, the Dean of Students, or designee, will consider:

- the nature of the alleged conduct,
- the circumstances of the report, and
- whether the respondent is a person or a student organization subject to the College's conduct standards.

These factors will also inform whether the procedures outlined in the Student Code of Conduct will be utilized to resolve the alleged misconduct. Allegations of Hazing involving a student or a student organization that is officially recognized by, or registered with, the College will be resolved in accordance with the procedures outlined in the Student Code of Conduct. Allegations involving other respondents will be determined using the policies and procedures applicable to the respondent's status.

### ***Interim Action***

In response to the report, the Dean of Students or designee may impose an interim administrative action on a respondent prior to the resolution when a threat of imminent harm to persons or property exists, and/or there is potential for significant disruption to the community during the course of investigation. If the respondent is an employee, the applicable College official(s) may impose interim administrative action consistent with the policies and procedures applicable to the employee.

Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of individuals and the College community. Interim administrative action is preliminary in nature; it remains in effect only until the matter is resolved. The respondent may appeal the interim action in writing to the Associate Vice Provost for Student Affairs, or designee. All such appeals must be submitted within seven (7) calendar days of the imposition of the interim action. The interim action will remain in effect while the appeal is reviewed and resolved.

### ***Investigation***

Following the initial review, if the Dean of Students, or their designee, determines that the report alleges conduct that could constitute hazing by a member of the College community over whom the College has jurisdiction, the Dean of Students, or their designee, shall appoint one or more internal or external investigators to conduct a prompt, thorough, and impartial investigation. The appointment of external investigators may be made at the discretion of the Dean of Students or the Manager, Employee Compliance.

In cases where a report of alleged hazing also includes allegations of conduct that may constitute a violation of the College's Sexual Misconduct Policy, the Manager, Employee Compliance, or their designee, and the Dean of Students, or their designee, shall confer to determine the appropriate investigative and/or resolution procedures.

The respondent (typically the president of a registered/recognized student organization, or its equivalent for an established organization) will be sent a written notice of the allegations via their College-supplied email account. If the student organization has a national or oversight entity, that entity may be apprised of the College's investigation at the discretion of the Dean of Students. The national or oversight entity cannot speak on behalf of or represent the student organization.

During the investigation, the complainant and respondent will be provided with an opportunity to: provide information through an in-person or virtual interview, submit a written account, provide the names of incident witnesses for possible interviews with the investigator(s), provide witness statements, and provide any documentation that may be relevant to the facts of the allegations. However, the investigator(s) may consider information from any sources the investigator(s) deem relevant and credible. The investigator(s) will make reasonable efforts to obtain relevant supporting documentation related to the allegations from other College official(s) or available resources.

Reasonable efforts will be made to complete the investigation in a timely manner. Typically, the College aims to complete an investigation into allegations of hazing within 45 business days of providing written notice of the investigation to the respondent. However, investigations may extend beyond 45 business days as circumstances require.

Upon completion of the investigation, the investigator(s) will prepare a written investigation report. The investigation report will summarize the information gathered during the investigation and include detailed

findings of fact regarding the behaviors in question. Based on these findings of fact, the investigators will determine and document whether each respondent violated the College's Hazing policy.

### ***Sanctions and Remedial Measures***

The Dean of Students, Manager, Employee Compliance, or their designee will impose appropriate sanctions and remedial measures in accordance with applicable WCTC policies and procedures for respondents found to have violated the College's Hazing policy. Sanctions may include probation, loss of privileges, loss of recognized/registered status, mandatory training or education, suspension, expulsion, administrative leave, or termination. Respondents can also face sanctions under other College policies as well as criminal or civil penalties imposed under applicable law.

All respondents will be informed, in writing, of the College's findings and any sanctions imposed.

### **INFORMATION REGARDING APPLICABLE LOCAL, STATE, AND TRIBAL LAWS ON HAZING**

In addition to the College's Hazing Policy, members of the campus community should be aware of applicable jurisdictional laws pertaining to Hazing.

Wisconsin law provides:

No person may intentionally or recklessly engage in acts which endanger the physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating in connection with a school, college, or university. Under those circumstances, prohibited acts may include any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug, or other substance, forced confinement, or any other forced activity which endangers the physical health or safety of the student.

Whoever violates the law is guilty of:

- A Class A misdemeanor if the act results in or is likely to result in bodily harm to another.
- A Class H felony if the act results in great bodily harm to another.
- A Class G felony if the act results in the death of another.

See Wis. Stat. 948.51.

### **CAMPUS HAZING TRANSPARENCY REPORT**

The College is committed to fostering a safe and respectful campus environment. In compliance with the Stop Campus Hazing Act, the College will publish Campus Hazing Transparency Reports that share information about hazing incidents reported to College officials or local law enforcement, including the type of incident, whether the incident involved the abuse or illegal use of alcohol or drugs, the organization involved, and the outcome of any investigation.

The first Transparency Report will be published by December 23, 2025, unless no organizations have been found responsible for Hazing on or after July 1, 2025. The College's Campus Hazing Transparency Reports can be found at: [Campus Hazing Transparency Report](#).

### **DRUG FREE SCHOOLS AND COMMUNITY ACT**

#### ***Alcohol and Drug Policies***

In compliance with the Drug Free Schools and Communities Act, WCTC publishes information regarding the College's prevention programs related to drug and alcohol abuse prevention which include standards

of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for WCTC students and employees. A complete description of these topics, as provided in the College's annual notification to students and employees, is available online at: [Drug & Alcohol Abuse Prevention Program](#).

As a condition of receiving financial aid funds, the federal government requires that colleges must disclose information to students and have an adopted alcohol and drug program in place. This serves as WCTC's information for compliance of these regulations, as well as the information published in the WCTC College Safety and Security Resource Guide, found on the WCTC website. It is the policy of this institution that the unlawful manufacture, distribution or possession of illicit drugs, or use or abuse of alcohol on any WCTC campus, or as a part of any WCTC activity, is strictly prohibited.

Exceptions to this alcohol policy are for an individual situation, which must have written approval from the College President. Anyone who violates the policy is subject to both the institutions and criminal sanctions. Without exception, alcoholic consumption is governed by Wisconsin statutory age restrictions under Chapter 125 et al. Laws prohibit drug possession through Wis. Stat. 161 and mandate penalties up to 15 years of prison and fines.

WCTC policy recognizes that substance abuse is a complex problem that is not easily resolved solely by personal effort and may require professional assistance and/or treatment.

The College will not excuse a student for acts of misconduct committed on campus or while participating in any WCTC sponsored activity, whose judgment is impaired due to substance abuse. Students whose behavior indicates that they are under the influence alcohol or other drugs upon their arrival at a WCTC activity or class are also subject to this policy. Law enforcement personnel may be contacted if disorderly or belligerent behavior exists.

The penalties vary according to the amount of drug confiscated the type of drug found, the number of previous offenses by the individual and whether the individual intended to manufacture the drug, sell the drug or use the drug. In addition to the stringent penalties for possession or delivery, the sentences can be doubled when exacerbating factors are present, such as when a person distributes a controlled substance to a minor.

### **Summary of the Health Effects of Drugs and Alcohol Abuse**

The following is a partial list of drugs and some of the consequences of their use. The abuse of alcohol and use of other illegal drugs is detrimental to the health of the user. Further, the use of drugs and alcohol is not conducive to an academic atmosphere. Drugs impede the learning process and can cause disruption for other students and disturb their academic interests. The use of alcohol or drugs in the workplace may also impede the employee's ability to perform in a safe and effective manner and may result in injuries to others. Early diagnosis and treatment of drug and alcohol abuse is in the best interest of the student, employee and the College.

The effects of any drug depend on the amount taken at one time, the past experience of the drug user, the circumstances in which the drug is taken (place, feelings, and activities of the user, presence of other people and simultaneous use of other drugs) and the manner in which the drug is taken. This list includes only some of the known health risks, and not all legal or illegal drugs are covered in this brief section.

## **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. Alcohol is the most frequently abused drug on campus and in society. This depression affects motor coordination, speech and vision. In great amounts, it can affect respiration and heart rate control. Death can result when the level of blood alcohol exceeds 0.40 percent. Prolonged abuse of alcohol can lead to alcoholism, malnutrition, brain damage and cirrhosis.

## **Drugs**

### Cannabis-Marijuana and Hashish

Marijuana and hashish are deleterious to the health and impact the short-term memory and comprehension of the user. When used, they alter the sense of time and reduce the ability of the user to perform tasks requiring concentration and coordination. They increase the heart rate and appetite. Motivation and cognition can be altered, making acquisition and retaining of new information difficult. Long-term users may develop psychological dependence that can produce paranoia and psychosis. Because this drug is inhaled as unfiltered smoke, it is damaging to the lungs and pulmonary system and has more cancer-causing agents than tobacco.

### Cocaine and Crack

Cocaine and crack stimulate the central nervous system. They can cause psychological and physical dependency, which can lead to dilated pupils, increased pulse rate, elevated blood pressure, and insomnia, loss of appetite, paranoia and seizures. They can also cause death by disrupting the brain's control of the heart and respiration.

### Stimulants and Amphetamines

Other stimulant and amphetamine use can have the same effect as cocaine and cause increased heart rates and blood pressure that can result in stroke or heart failure. Symptoms include dizziness, sleeplessness and anxiety. They can also lead to psychosis, hallucinations, paranoia and even a physical collapse.

### Depressants and Barbiturates

Depressants and barbiturates can cause physical and psychological dependence that can lead to respiratory depression, coma and death, especially when used in concert with alcohol. Withdrawal can lead to restlessness, insomnia, convulsions and even death.

### Hallucinogens

LSD, PCP, mescaline and peyote are classified as hallucinogens. Hallucinogens interrupt the brain messages that control the intellect and keep instincts in check. Large doses can produce convulsions and coma, heart and lung failure. Chronic users complain of persistent memory problems and speech difficulties for up to a year after their use. Because the drugs stop the brain's pain sensor, drug experiences may result in severe self-inflicted injuries. Persistent memory problems and speech difficulties may linger.

### Narcotics

Users of narcotics, such as heroin, codeine, morphine and opium develop dependence and increase the likelihood of an overdose that can lead to convulsions, coma and death.

## Nicotine

Nicotine is highly addictive, whether ingested by smoking or chewing. This drug hits the brain in six seconds, damages the lungs, decreases heart strength and is associated with many types of cancers. The withdrawal symptoms include anxiety, progressive restlessness, irritability and sleep disturbance.

WCTC provides intervention for students who need assistance with addiction, education, support, prevention and intervention of alcohol, tobacco and other drug abuse. Contact Counseling Services at 262.691.5400 for more information. Counselors are available to assist students.

## ***Federal and State of Wisconsin Legal Sanctions***

### **Federal**

The federal government has revised the penalties against drug possession and trafficking through its Federal Sentencing Guidelines that reduce the discretion that federal judges may use in sentencing offenders of federal drug statutes. Under these guidelines, courts can sentence a person for an extended period of time for unlawful possession of a controlled substance, including the distribution of marijuana. A sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury, 21 U.S.C. § 841.

### **Wisconsin**

The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and outlines specific penalties for the violation of the regulations. A first-time conviction for possession of a controlled substance can result in a sentence of up to one year in prison and a fine of up to \$5,000. Sec.961.41(3g), Stats. A person convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with an intent to manufacture or deliver, can be imprisoned for up to 30 years and fined up to \$1,000, 000. Secs. 961.41(1) and (1m), Stats. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term. Sec. 961.46, Stats.

Wisconsin has formidable legal sanctions that restrict the use of alcohol in various situations. It is illegal to procure for, sell, dispense or give away alcohol to anyone who has not reached the legal drinking age of 21 years. Sec.125.07(1)(a)(1), Stats. Every adult has a legal obligation to prevent the illegal consumption of alcohol on premises owned by the adult or under the adult's control. Sec. 125.07(1)(a)(3), Stats. A first-time violator of either of the above subsections can be fined up to \$500. It is against the law for an underage person to procure or attempt to procure an alcoholic beverage, to falsely represent his or her age for the purpose of obtaining alcohol, to enter premises licensed to sell alcohol, or to consume or possess alcohol on licensed premises. Sec. 125.07(4)(a), Stats. A first-time underage violator of Section 125.07(4)(b), Stats., can be fined up to \$500, ordered to participate in a supervised work program, and have their driver's license suspended.

For specific information regarding underage drinking laws and drinking/driving laws, contact the Campus Police at 262.691.5582.

## **Resources**

### **On-Campus**

Students who are concerned about their own use of alcohol and/or other drugs or about the use of someone close to them are encouraged to contact a college counselor. For more information and/or

assessment and referral as appropriate, contact the Mental Health Counseling Services at 262.691.3440 to schedule an appointment.

**Off-Campus**

The Wisconsin Department of Health and Social Services website is a resource for anyone seeking assistance and information on alcohol and substance abuse services. Information can be obtained via the website: [Substance Use: Partner/Provider Resources](#).

Other resources can be found by searching for Alcoholism Information and Treatment Centers.

**For additional information contact:**

[National Council on Alcoholism & Drug Dependence](#)

Alcoholics Anonymous (AA) National Office: 212.870.3400

## **COMMUNITY RESOURCES**

### **24 Hour Help Lines and Hotlines**

#### **211/First Call for Help:**

- A confidential hotline staffed by mental health counselors 24 hours a day, 7 days a week.
- Provides callers with access to community resources, crisis intervention and support.
- 211 or 414.773.0211

#### **Addiction Resource Council:**

- A confidential hotline providing support and crisis help.
- 262.524.7921

#### **Alcoholics Anonymous:**

- Helpline for the city of Milwaukee and the Metro Milwaukee area.
- 414.771.9119

#### **Narcotics Anonymous:**

- Helpline for Milwaukee and Metro Milwaukee area.
- 1.800.240.0276

#### **La Casa de Esperanza Clinic**

410 Arcadian Ave  
Waukesha, WI 53186  
262.547.0887

#### **Rogers Memorial Hospital**

34700 Valley Road  
Oconomowoc, WI 53066  
262.646.4411

#### **Alcohol and Other Drug Abuse Information:**

Please contact the organizations below for information on Alcohol and Other Drug Assessment, Counseling and treatment.

#### **Addiction Resource Council**

N27W23960 Paul Rd, Suite 201  
Pewaukee, WI 53072  
262.524.7921

#### **Alliance Counseling Center**

2312 N. Grandview Blvd, Suite 103  
Waukesha, WI 53188  
262.367.2699

#### **Family Service of Waukesha County**

2727 N. Grandview Blvd, Suite 203  
Waukesha, WI 53188  
262.547.5567

#### **Quality Addiction Center-West Milwaukee**

Comprehensive Treatment Center  
1610 Miller Park Way  
West Milwaukee, WI 53214  
844.754.9355

#### **WI Narcotics Anonymous**

732 N. Main St  
Oshkosh, WI 54901  
800.240.0276

### ***How to Help***

#### **Warning Signs**

*(Information taken from the Wisconsin Clearinghouse)*

If you know someone who has problems related to drinking alcohol or other drug use, you're not alone. You don't have to be an expert to know if your friend has a problem. If he/she has these kinds of troubles related to alcohol or other drugs, your friend may need to talk with someone. Does he/her:

- Try to hide his/her drinking or other drug use?
- Not remember what happened while he/she was using drugs or drinking?
- Have problems in job or school performance?
- Take physical risks, like driving, biking or swimming, while intoxicated?
- Avoid talking about drinking or drug use, except to brag about how much was drunk or how high he/she got?

- Think about getting high a lot?
- Limit friends to those who drink or use drugs a lot?
- Seem unable to have a good time or to party unless alcohol or drugs are available?
- Say he/she sometimes NEEDS a drink or drug?
- Get angry when you mention your concerns and deny that there’s anything wrong?
- Have a history of alcohol or other drug problems in the family?

**How You Can Help**

First, learn more about alcohol and other drug abuse. Libraries, alcohol and other drug information agencies and treatment centers are good places to get more information.

Next, find out where your friend can get help on campus or in your community. Having this information available if, and when your friend needs it will pay off. Most people who seek help for alcohol or drug problems get better.

Let your friend know how much you care. Explain how his/her drinking and/or other drug use affects you – and your friendship. Use your own words and say what is right for you. Be honest and specific. Say exactly what makes you unhappy and how those problems relate to drinking and/or drugs.

Don’t get discouraged if your friend gets angry, refuses to listen or denies the problem. These reactions are common in people who have alcohol or other drug problems. All you can do is say how you feel, show that your care and suggest ways to get help. Only your friend can make the final decision to get help.

**CAMPUS SECURITY AND CRIME AWARENESS**

***Campus Security Authorities***

*Campus Security Authorities (CSA)* are individuals, who by virtue of their college responsibilities and under the Clery Act, are designated to receive and report criminal incidents to Campus Police, the Director of Campus Security & Risk, or the Manager, Employee Compliance so that they may be included and published in the College's Annual Security Report.

Campus Security Authorities of the College include, but are not limited to the following:

Pewaukee Police Campus Liaison Officers	Waukesha Campus Security Officers	Dean of Students
Pewaukee Campus Student Security Officers	Director, Campus Security & Risk	Manager, Employee Compliance/Title IX Coordinator
Student Support Coordinator	Assistant Director, Student Life	Coordinator of Risk Management

***Campus Law Enforcement and Security Services***

Waukesha County Technical College (WCTC) contracts with the Village of Pewaukee Police Department (PVPD), 235 Hickory Street, Pewaukee, WI 53072, (262)-691-5678, for law enforcement services on its main Pewaukee campus. Pewaukee Police officers are on campus from 7:00 AM until 11:00 PM Monday through Friday when the campus is open for business. WCTC’s main campus falls within the jurisdiction of PVPD, the Pewaukee Police officers have jurisdiction to operate on WCTC owned or controlled property and PVPD has full arrest authority on the WCTC main campus. The Pewaukee Police officers have the authority to enforce State, Local and Federal laws and College Policies. Campus Security is an “observe and report” organization. Observed incidents will be referred to either the Pewaukee Police for criminal

offenses, Student Life for student conduct offenses, and Human Resources & Legal Affairs for employee conduct issues.

In addition, WCTC has a security department. At the main campus, the security department employs students from WCTC, as well as part-time Campus Security Officers (CSO). These Student Security Officers (SSOs & CSOs) provide security coverage from 7:00 AM until approximately 10:30 PM Monday through Thursday and until approximately 10:00 PM on Friday. Security is also present on Saturdays from 7:30 AM to approximately 5:00 PM. SSOs & CSOs have no arrest authority. Security coverage (jurisdiction area) is limited to WCTC owned and controlled property on the main campus.

The Waukesha campus also has paid security staff (Campus Security Officers) on duty Monday through Thursday from 7:00 AM to approximately 10:00 PM, until approximately 5:30 PM on Fridays and from 7:00 AM until closing on Saturdays. The security staff at this campus is responsible for enforcing WCTC policies. Security staff have no arrest authority and security coverage (jurisdiction area) includes WCTC owned and controlled property at the Waukesha Campus location. The Waukesha Police Department (WPD), on an on-call basis, provides Law Enforcement services. No written agreements exist or memorandums of understanding regarding any topics, including the investigation of criminal incidents, between WCTC and the local police department.

Any matters of a criminal nature are referred to the appropriate police department and requirements for police investigative services are handled by either PVPD or WPD.

The WCTC Campus Security Department maintains a strong working relationship with state and local police agencies, including the City & Village of Pewaukee, the City & County of Waukesha, and the Wisconsin State Patrol.

The College is a non-residential college and therefore does not provide 24-hour security coverage. Monitoring and recording of criminal conduct by students at non-campus locations by local law enforcement does not occur since WCTC does not have any officially recognized student organizations, on campus or non-campus housing facilities.

Facilities, Campus Police, Pewaukee Village Police Department, Campus Security Officers, and Student Security Officers patrol the grounds of the Main Campus while the campus is open. Security Officers and Facilities personnel patrol and maintain the Waukesha campus. College staff regularly check outdoor pathway lighting and egress lighting in hallways and stairwells.

### ***Security and Access to Campus Facilities***

WCTC academic and administrative buildings are open to the public, at a minimum, during normal business hours. Most facilities have individual hours, and the hours may vary at different times of the year. Card readers also control access to some of these buildings. All of these buildings have varied levels of access. Student Security Officers and contracted PVPD officers patrol the academic and administrative buildings on a regular basis at the main campus in Pewaukee. Security Officers patrol the Waukesha campus. For information about the access protocol for a specific building, contact the Security Desk at 262.691.5052. WCTC does not maintain on-campus student housing facilities.

### ***Security Considerations Used in the Maintenance of Campus Facilities***

WCTC maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. WCTC Security works closely with Facilities Services to

address burned out lights promptly as well as malfunctioning door locks, or other physical conditions that affect security. Other members of the College community are helpful when they report equipment problems to WCTC Security or to Facilities Management.

### ***Crime and Emergency Reporting Procedures***

In the event of an emergency or criminal conduct occurring on campus call 911 immediately from any campus or personal cell phone. An emergency is defined as any event that may pose a significant threat to life, safety, or health. This applies to all WCTC buildings in Waukesha and Pewaukee. When possible, Campus Security should be contacted to ensure incidents are documented. If deemed appropriate by campus authorities, such as the Crisis Management Team (CMT), a timely warning to the campus community will be issued.

To report non-emergency criminal actions, contact the Pewaukee Campus Police at the main campus and the Waukesha Police at the Waukesha campus. When possible, Campus Security should be contacted to ensure incidents are documented. Important contact numbers are:

- Pewaukee Campus Police – 262.691.5582
- Waukesha Police Department – 262.524.3831
- Campus Security (Pewaukee) – 262.691.5052
- Campus Security (Waukesha) – 262.695.6508
- Director of Campus Security & Risk – 262.691.5226

Prompt crime reporting and the reporting of suspicious behavior will better enable local law enforcement officials to remedy the situation. The College encourages prompt and accurate reporting of all crimes or suspicious behavior to local law enforcement officials (Campus Police), and to Campus Security & Risk Office. Reports may be filed on the reporting party's behalf when the victim of a crime elects to, or is unable to, make such a report. The [Community Feedback Form](#) is an option to make an anonymous report. Once the College has been put on notice, anonymously, all efforts will be made to investigate.

Report all criminal activity to Campus Police. If you are unable to reach Campus Police, contact the Director of Campus Security & Risk. The College does have counselors on staff, which can assist students by providing information on various private and public options for such services.

Waukesha County Technical College complies with the Jeanne Clery Disclosure Act and prepares an annual report of crimes that have occurred on campus and at outreach centers. The report can be found by clicking [Annual Security Report](#), or may be obtained from the Campus Security Office. The report is also distributed to students and employees each year by October 1<sup>st</sup> as required by law. Campus crime, arrest, and referral statistics include those reported to local law enforcement and to College officials, including anonymous reports. In an effort to obtain the statistics from local law enforcement, Campus Security makes a written request to each local law enforcement agency to obtain a listing of any crimes they had reported to them and/or they had investigated.

### ***Response to a Report***

In response to a call, WCTC Security will take the required action, either dispatch an officer, or ask the reporting party to report (in person or online) to WCTC Security to file an incident report. All reported crimes will be investigated by the College, and/or PVPD and may become a matter of public record. All WCTC Security incident reports are forwarded to the Director of Campus Security & Risk for review. If assistance is required from the Police Department or the Fire Department, WCTC Security will contact the appropriate

department. If a sexual assault or rape should occur, staff on the scene will offer the reporting party a wide variety of services.

### ***Voluntary Confidential Reporting***

If you are the reporting party of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, any WCTC Security personnel can file a report on the details of the incident without revealing your identity (except to the Manager, Employee Compliance in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, WCTC can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

### ***Professional Counselors***

Campus “Professional Counselors,” when acting as such, are not considered to be a Campus Security Authority for Clery Act purposes and are *not* required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional counselors at WCTC are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to a Campus Security Authority.

#### *Professional Counselor*

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community, and who is functioning within the scope of his or her license or certification.

Please note that reports of sexual violence and other violations that may be sex or gender-based will be reported to the Manager, Employee Compliance and cannot be held in confidence.

The College does encourage professional counselors to notify individuals they are counseling of the option to report crimes on an anonymous or confidential basis for inclusion in the annual statistical disclosure of crime statistics.

WCTC does not have pastoral counselors and therefore has no procedures for them to inform individuals of confidential reporting processes.

### ***Daily Crime Log***

The College maintains a Daily Crime Log. Any crime reported to security, even anonymously, is also referred to the Campus Police for documentation. Daily Crime Logs are kept in the Campus Security Office. A paper copy is kept at the Welcome Desk on the Pewaukee Campus, and Room 106 on the Waukesha Campus.

### ***Timely Warnings***

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety-related incidents to Pete Latona, Director of Campus Security & Risk ([platon@wctc.edu](mailto:platon@wctc.edu), 262.691.5225), Campus Police ([police@wctc.edu](mailto:police@wctc.edu), 262.993.1280), and/or Village of Pewaukee Police Department ([pewaukeepolice@villageofpewaukee.com](mailto:pewaukeepolice@villageofpewaukee.com), 262.691.5678) in a timely manner to aid in

providing accurate and timely warning notices to the community when appropriate, and to ensure inclusion in the Daily Crime Log and annual crime statistics. Information on crimes reported to Campus Police or security is reviewed to determine if the crime poses a serious on-going threat to members of the campus community. If the crime is serious or may pose an on-going threat to members of the WCTC community, a timely warning that withholds the names of reporting party(s) as confidential, is sent to all students, employees and guests on campus to aid in the prevention of similar crimes. The warnings are generally written and distributed to the college community by the Manager, Employee Compliance, the Director of Campus Security & Risk, or their designee.

Warnings and updates to the WCTC community may be distributed via blast email, text message, or posted on the WCTC website. Warning notices may also be posted in campus buildings in the lobby/entrance area of the affected building(s) for seven (7) days.

In the event a crime is reported, or a situation arises, within the WCTC Clery Geography (On Campus, Public Property, and Non-campus property), that, in the judgment of the Director of Campus Security & Risk and/or the Manager, Employee Compliance, and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide “timely warning” notice will be issued.

Timely Warnings are usually distributed for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, murder/non-negligent manslaughter, a string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another and robbery. Incidents of aggravated assault (cases involving assaults among known parties, such as two students fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be a serious or ongoing threat to the larger WCTC community). Sex offenses (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Director of Campus Security & Risk and/or Manager, Employee Compliance, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

### ***Notification of an Immediate Threat***

If the Environmental, Health, Safety, Security, and Risk Management office confirms, sometimes in conjunction with campus administrators, local first responders and/or the national weather center, that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the WCTC community, Safety and Security will activate emergency notification procedures. This will provide immediate notification of the threat to the WCTC community or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population, The Director of Campus Security & Risk, and the Manager, Employee Compliance, or designee are responsible for determining the appropriate segment or segments of the campus community to receive a notification. The Director of Campus Security & Risk, backed up by the Manager, Employee Compliance, or designee of either, will immediately, and consider the safety of the community, determine the content of the notification based on the nature of the incident, affected people, and places, and initiate notification.

WCTC will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: WCTC Security, Local PD, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the WCTC community, various systems are in place for communicating information quickly. These are in place so that the campus community can be immediately notified upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus. These methods of communication include WCTC ALERTS, a system that provides email and/or text message alerts to members of the WCTC community. Students, faculty, and staff are encouraged to sign up for WCTC ALERTS on Applications site of the WCTC portal (please note that all student and staff College email addresses are automatically enrolled in WCTC ALERTS). Alerts may be sent out through the WCTC social media pages as well, including Facebook and Twitter (@WCTC).

Additionally, in emergencies when the campus mass notification system is activated, all college owned computers and message monitors will be overridden, and the emergency warning message will be displayed. Employees and students may be kept informed of updates via WCTC Alerts, and the WCTC website.

If any of these systems fail or the College deems it appropriate, in person communication may be used to communicate an emergency.

<b>SYSTEM TO USE</b>	<b>Primary Message Creator and Sender/Distributor</b>	<b>Backup Message Creator and Sender/Distributor</b>	<b>Authority for approving and sending messages</b>
<b>PRIMARY College Mass Notification System</b>	Director of Campus Security & Risk or designee	Manager, Employee Compliance, or designee	Director of Campus Security & Risk, Manager, Employee Compliance, or designee of either
<b>SECONDARY All College email to students and staff</b>	Director of Campus Security & Risk or designee	Manager, Employee Compliance, or designee	Director of Campus Security & Risk, Manager, Employee Compliance, or designee of either
<b>TERTIARY WCTC Website</b>	Director of Campus Security & Risk or designee	Manager, Employee Compliance, or designee	Director of Campus Security & Risk, Manager, Employee Compliance, or designee of either

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information.

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the WCTC homepage and/or social media.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

WCTC community members are encouraged to notify Campus Security and Campus Police at the Pewaukee campus at 262.691.5678 or 262.691.5052, or Waukesha Police at the Waukesha campus 262.524.3831, of any situation or incident on campus that involves a significant emergency or dangerous situation that may be an immediate or ongoing threat to the health and safety of students, faculty, staff, or visitors on campus. Campus Security, in cooperation with local police, has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, Campus Security has a responsibility to respond to such incidents to determine if the situation does in fact pose a threat to the community. If so, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

### ***Crisis Management Team***

The *Crisis Management Team* (CMT) is appointed to assist in the safety and security functioning of the College and is chaired by the Director of Campus Security & Risk.

The following College Officials serve on the CMT:

- President
- Provost & Executive Vice President
- Associate Vice Provost of Student Affairs
- Associate Vice Provost of Academic Affairs
- Vice President of Human Resource Services & Legal Affairs
- Vice President of Administration & Finance
- Chief External Relations & Marketing Officer
- Chief of Staff
- Director of Campus Security & Risk
- Director of District Facilities
- Executive Director of Information Technology Services/CIO

The CMT has the following responsibilities:

- Provide leadership and direction in an emergency situation;

- In the event of a College emergency, available CMT members will assemble quickly to assess the situation and decide on appropriate action;
- In a situation prohibiting team assembly, individual CMT members may take appropriate steps to ensure safety;
- Any member of the CMT, the Director of Campus Security & Risk and PVPD may call for evacuation of a building, send students and staff to emergency shelters, take other appropriate actions outlined in the College’s Emergency Response Plan, or initiate contact with law enforcement or emergency personnel.

The College’s “*See Something, Say Something*” campaign requires all staff to report crimes to Campus Police, and/or the Director of Campus Security & Risk. Campus Police are responsible for local law enforcement. This crime information is included in the Annual Security Report that meets the Clery Reportable categories.

### **Emergency Response Guide**

The WCTC Emergency Response Plan addresses the College’s response to emergencies by taking an all-hazards approach to both natural and man-made hazards. Individuals should familiarize themselves with the Emergency Response Plan and other preparedness resources available on the WCTC portal, [mywctc.wctc.edu](http://mywctc.wctc.edu) under the Resources tab, Environmental & Safety Resources, Emergency Information. A quick reference Emergency Procedures guide is available on the WCTC portal and on College’s computers under the following icon. Each classroom has maps indicating what to do in the event of most emergencies. This includes shelter locations for severe weather and evacuation routes and staging areas for fire emergencies. Each classroom also has a summary of emergency procedures posted by the maps. The Emergency Procedures Guide can be viewed on the College website. Please review the Emergency Procedures Guide regularly to be prepared in the event of an emergency.



Planned evacuation drills are typically coordinated by Campus Security each spring and fall semester for all facilities on both the Pewaukee and Waukesha campuses. Typically, an announced severe weather drill is conducted each April in conjunction with the State of Wisconsin annual severe weather drill to exercise severe weather shelter procedures. Students and staff learn the locations of the emergency exits, assembly areas and shelters within the buildings and are provided guidance about the direction they should travel when exiting each facility for a building evacuation.

### **Emergency Evacuation Procedures**

The emergency evacuation procedures are typically tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The WCTC Security does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, WCTC Security staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes. WCTC has no residence halls and therefore is not required to do annual fire drills. We do, however, conduct building evacuation drills. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At WCTC evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the

drill, occupants ‘practice’ drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

### **General Evacuation Procedures**

1. Remain Calm and evacuate the building.
2. Immediately activate the nearest fire alarm pull station on your way out of the building.
3. Do NOT use Elevators, Use the Stairs.
4. Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform WCTC Security or the responding Fire Department of the individual's location.
5. Close doors to prevent flames/smoke from spreading and shut down all major equipment in accordance with fire safety procedures if you can safely do so.
6. Proceed to the designated evacuation staging area. Keep all roadways, fire lanes, etc. clear for emergency vehicles.
7. Call 911 with any details that you may have of the fire. Notify the Security Desk Attendant (Dial 5055) of the fire and that the fire department has been called.
8. Keep all classes/work groups together while exiting to assure all persons have exited the building safely.
9. Do not re-enter the building until authorization has been given by the fire department.

### **Shelter-in-Place Procedures–What it means to “Shelter-in-Place”**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

### **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (turn off the lights, close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If police or fire department personnel are on the scene, follow their directions.

### **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, Campus Security, Police or Fire Department Officials other College employees, or other authorities utilizing the College’s emergency communications tools.

### **How to “Shelter-in-Place”**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any Emergency Kits to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - An interior room;

- Above ground level; and
  - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
  4. Turn off air conditioners, heaters, and fans.
  5. Close vents to ventilation systems as you are able. (College staff will turn off the ventilation as quickly as possible.)
  6. Make a list of the people with you and ask someone (faculty or other staff) to call the list in to WCTC Security so they know where you are sheltering. If only students are present, one of the students should call in the list.
  7. Turn on a radio or TV and listen for further instructions.
  8. Make yourself comfortable.

In conjunction with other emergency agencies, the College conducts emergency response drills and exercises each year. These may include tabletop exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

Environmental, Health, Safety, Security and Risk Management, volunteer staff members, local police, and fire officials monitor tests to evaluate evacuation or sheltering participation and behavioral patterns. Reports are prepared and appropriate documentation is retained by Campus Security for each test that identifies a description of the exercise, the date, time, and description of the event and whether it was announced or unannounced, in addition to deficiencies in procedures and equipment so that corrective actions can be made. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration. WCTC will publish a summary of its emergency response and evacuation procedures in conjunction with at least one test each calendar year. Students receive information about evacuation and shelter-in-place procedures during new student orientation and during other educational sessions.

The following policies contain additional information on the College's emergency procedures: [HEA-101 Emergency Action Plans](#); [HEA-101-01 School Closing](#); [HEA-101-02 Tornado/Severe Weather](#); [HEA-101-03 Building Evacuations](#); [HEA-101-04 Fires](#); [HEA-101-05 Bomb Threat and Search](#); and [HEA-101-06 Medical Response](#).

The College's Emergency Response Plan also contains additional useful information.

### ***Emergency Medical Response Procedures***

Anyone can call 911 for any student, faculty, staff, guest, or other situation requiring immediate attention. Once 911 has been called, a second call should be placed to the Security Desk (extension 5055) and the Environment, Health, Safety, Security & Risk Management personnel will activate the WCTC Emergency Response Team (ERT). Available ERT members will respond to the scene to provide basic first aid, assist with securing the scene and provide other assistance as needed. The Pewaukee and Waukesha Fire Departments provide basic and advanced life support to the campuses.

### ***Fire Safety Report and Missing Student Notification Procedures***

The College is a commuter (non-residential) college. Therefore, these statistics and procedures are not collected or in existence. They only apply if a College maintains student housing.

### ***Crime Prevention and Security Procedures***

WCTC is committed to the provisions of a safe and healthy environment for the protection and wellbeing of students, staff and visitors and will uphold and enforce all applicable federal, state, local and College safety laws, rules, and regulations. WCTC provides Student Security Officers who patrol the campus from 7 AM-10:30 PM while classes are in session, with slightly reduced patrol hours between semesters. Campus risk and security administrators and Campus Police employ additional security staff for special events as deemed necessary. In addition, a Police Officer from the Pewaukee Village Police Department patrols as well.

The College posts tips for safety, has informative meetings with Campus Police, Director of Campus Security & Risk, and the Manager, Employee Compliance brings in speakers to address topics of personal safety and wellbeing.

Crime prevention and security awareness procedures information is presented during employee orientations, and periodically during in-service training. At employee orientations, emergency procedures covered include primary prevention and sexual harassment awareness prevention programs. New students also receive the sexual harassment prevention information. The orientation includes the following information:

- A statement that the College prohibits these and other criminal offenses;
- The definition of the specific offenses

Facilities and security personnel conduct routine inspections and patrol buildings and grounds to identify and correct deficiencies. Crime prevention is based upon the dual concepts of eliminating or minimizing criminal opportunities whenever possible and as discussed in the WCTC security awareness programming, encouraging students and staff to be responsible for their own security and the security of others.

The following is a list of campus crime prevention tactics that may reduce the risk of becoming a reporting party:

- Walk on established walkways. At night, walk on lighted walkways.
- Always lock your vehicle.
- If on campus in the evening, park close to the building in lighted areas and walk with others.
- Items of value left in vehicles should be placed out of sight.
- Never leave items of value unattended.
- Promptly report any suspicious behavior to Campus Police or Campus Security.
- Do not leave keys, access cards, or valuables unattended.
- Always lock doors in unattended office areas.
- Never give out computer passwords.
- Do not click on attachments or hyperlinks in emails that are unfamiliar to you.
- When working during non-business hours, inform family and colleagues of location and schedule.
- Contact Campus Security for an escort to/from your vehicle or building.
- The College has adopted a policy on closing and locking classroom doors.

# SEXUAL ASSAULT AND HARASSMENT

## *Policies and Procedures Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking*

Waukesha County Technical College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking. In an effort to reduce the risk of these crimes occurring among its students, WCTC utilizes a range of campaigns, strategies and initiatives to provide awareness, and educational, risk reduction and prevention programming.

### **Definitions-VAWA**

Below are definitions of these crimes, as defined by the Violence against Women Reauthorization Act (VAWA).

- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the reporting party.
  - The existence of such a relationship shall be 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.
  - For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Domestic Violence:** Felony or misdemeanor crimes 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 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;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies;
  - Or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the reporting party, including instances where the reporting party is incapable of giving consent."
  - 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 reporting party.
  - Fondling: The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the reporting party, including instances where the

reporting party 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 of 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.
  - For the purposes of this definition:
    - *Course of conduct* means two or more acts, including, but not limited to, acts 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 reporting party.
    - *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## Definitions-State of Wisconsin

Below are the definitions of these crimes, as defined by the State of Wisconsin statutes.

- **Domestic Violence (abuse) s. 968.075:** Any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided, or against an adult with whom the person has a child in common:
  - Intentional infliction of physical pain, physical injury or illness;
  - Intentional impairment of physical condition;
  - A violation of felony sexual assault; or
  - A physical act that may cause the other person reasonably to fear imminent engagement in the conduct described under the state definitions of sexual assault.
- **Dating Violence s. 940.32:** The state of Wisconsin does not offer a specific definition on dating violence but does assist in defining a "dating relationship". Dating violence, then, can be inferred as violence between individuals that meet the state's definition of a dating relationship:
  - Dating relationship means a romantic or intimate social relationship between 2 adult individuals, but does not include a casual relationship, or an ordinary fraternization between 2 individuals in a business or social context. A court shall determine if a dating relationship existed by considering the length of the relationship, the type of the relationship, and the frequency of the interaction between the adult individuals involved in the relationship.
- **Sexual Assault s. 940.225:**
  - First-degree sexual assault.
    - **(a)** Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
    - **(b)** Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the reporting party reasonably to believe it to be a dangerous weapon.

- **(c)** Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
  - Second-degree sexual assault.
    - **(a)** Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
    - **(b)** Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the reporting party.
    - **(c)** Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.
    - **(cm)** Has sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.
    - **(d)** Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
    - **(f)** Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without the consent of that person.
    - **(g)** Is an employee of a facility or program under s. 940.295 (2) (b), (c), (h) or (k) and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility or program.
    - **(h)** Has sexual contact or sexual intercourse with an individual who is confined in a correctional institution if the actor is a correctional staff member. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.
    - **(i)** Has sexual contact or sexual intercourse with an individual who is on probation, parole, or extended supervision if the actor is a probation, parole, or extended supervision agent who supervises the individual, either directly or through a subordinate, in his or her capacity as a probation, parole, or extended supervision agent or who has influenced or has attempted to influence another probation, parole, or extended supervision agent's supervision of the individual. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.
    - **(j)** Is a licensee, employee, or non-client resident of an entity, as defined in s. 48.685 (1) (b) or 50.065 (1) (c), and has sexual contact or sexual intercourse with a client of the entity.
  - Third degree sexual assault. Whoever has sexual contact in the manner described in sub. (5) (b) 2. Or 3. With a person without the consent of that person.
  - Fourth degree sexual assault. Whoever has sexual contact with a person without the consent of that person.
- Stalking s. 940.32: A series of 2 or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:

- Maintaining a visual or physical proximity to the reporting party;
  - Approaching or confronting the reporting party;
  - Appearing at the reporting party's workplace or contacting the reporting party's employer or coworkers;
  - Appearing at the reporting party's home or contacting the reporting party's neighbors;
  - Entering property owned, leased, or occupied by the reporting party; or
  - Contacting the reporting party by telephone or causing the reporting party's telephone or any other person's telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
- **Consent:** Words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact.

### **Definition-Waukesha County Technical College**

**Consent:** Consent is knowing, voluntary, and clear permission by words or actions to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent can be withdrawn once given, as long as the withdrawal is clearly communicated.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced.

Silence or the absence of resistance alone is not consent. There is no requirement on a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of consent is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition nonconsensual, but nonconsensual sexual activity is not by definition forced.

Consent for sexual contact cannot legally be given if an individual is under the age of 18, is incapacitated due to alcohol or other drugs, is unconscious or asleep, or has limited mental capacity. **Consent is a clear yes, not the absence of no.**

Consent is positive cooperation involving an act of free will, absence of coercion, intimidation, force or the threat of force. A person cannot give consent if he or she is unable to understand what is going on.

There must always be active consent among involved persons. Consent to one event or action does not imply consent to another. If limits are made clear and consent is not given, pressuring someone into changing their mind is not consent.

- Consent is based on choice.
- Consent is active, not passive. Silence and passivity do not equal consent.
- Consent is possible only when there is equal power.
- Giving in because of fear is not consent.
- Giving in or going along with someone to gain approval or to avoid being hurt is not consent.
- Consent means two (or more) people deciding together to do the same thing, at the same time, in the same way, with each other.

It is the intent of Waukesha County Technical College to provide an institutional environment where all persons may pursue their studies, careers, duties and activities in an atmosphere free from threat of unwelcome and unwanted sexual actions.

### **How to Be an Active Bystander**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list<sup>2</sup> of some ways to be an active bystander. Further information regarding bystander intervention may be found by clicking on the following resources: [Bystander Intervention Resources](#) & [Bystander Tips & Scenarios](#). If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

### **Risk Reduction**

With no intent to reporting party blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

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<sup>1</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

<sup>2</sup> Bystander intervention strategies adapted from Stanford College’s Office of Sexual Assault & Relationship Abuse

11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a) **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b) **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c) **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d) **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### **Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and that:

- A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- What behavior and actions constitute consent, in reference to sexual activity, in the State of Wisconsin;
- The institution's definition of consent AND the purposes for which that definition is used.

A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.

Bystander intervention includes:

- Recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Information regarding:
  - procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document);
  - how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
  - existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
  - options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
  - procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document).

**Primary Prevention and Awareness Programs**

The College offered the following **primary prevention and awareness programs** for all **incoming students** in 2024:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Title IX/Sexual Misconduct Webpage	2024	Pewaukee & Waukesha Campuses	DoV; DaV; SA; S
Sexual Misconduct Brochure	2024	Pewaukee & Waukesha Campuses	SA
360 Stay Safe Training	2024	Online	DoV; DaV; SA; S
New Student Orientation	2024	Online	SA
Safety and Security Brochure	2024	Pewaukee & Waukesha Campuses	SA; S

*\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking*

The College offered the following **primary prevention and awareness programs** for all **new employees** in 2024:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Title IX/Sexual Misconduct Webpage	2024	Pewaukee & Waukesha Campuses	DoV; DaV; SA; S
Sexual Misconduct Brochure	2024	Pewaukee & Waukesha Campuses	SA
NEOEd Online Training	2024	Online	DoV; DaV; SA; S
New Adjunct Instructor Orientation (self-paced)	2024	Online	DoV; DaV; SA; S
New Employee Orientation	2024	C-214/216	SA
Safety and Security Brochure	2024	Pewaukee & Waukesha Campuses	SA; S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

**Ongoing Prevention and Awareness Campaigns**

Waukesha County Technical College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking as defined by the Violence against Women Act (VAWA). In an effort to reduce the risk of these crimes occurring among its students, WCTC utilizes a range of campaigns, strategies and initiatives to provide awareness, educational, risk reduction and prevention programming. We continue to raise awareness through programs that are offered in April during Sexual Assault Awareness Month, and in October during National Campus Safety Month. These offerings include an “It’s On Us” campaign, viewing of documentaries centered around sexual assaults, campus awareness walks, and wearing teal pins during April to increase awareness.

WCTC implemented campus-wide Title IX training to increase awareness and prevent claims of domestic violence, dating violence, sexual assault, and stalking. We also provide training to disseminate information on the process of reporting occurrences. Materials are provided to students at each New Student Orientation. Training sessions are held for new employees at New Employee Onboarding. Annually, all College employees are required to complete the online Harassment Prevention for Employees and the Title IX, The Clery Act, and VAWA trainings in *NEOEd*. Students are encouraged to complete the Title IX *Stay Safe 360* online training.

The College offered the following **educational, awareness, and prevention programs** for **students** in 2024:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
<i>Stay Safe 360 Online Training</i>	Calendar Year	Online	DoV, DaV, SA, S
National Stalking Awareness Month Display Case	January 2024	Building C Display Case	S
Clothesline Project	April 2024	Building C Stairwell	DoV, DaV, SA

Clothesline Project Shirt Creation	April 2024	Multicultural Engagement Center	DoV, DaV, SA
Sexual Assault Awareness Month Display Case	April 2024	Building C Display Case	DoV, DaV, SA
Denim Day Walk	April 24, 2024	Around Campus	DoV, DaV, SA
Domestic Violence Awareness Month Display Case	October 2024	Building C Display Case	DoV, DaV, SA, S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following **educational, awareness, and prevention programs** for **employees** in 2024:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Harassment Prevention	April 1-September 15, 2024	Online	DoV, DaV, SA, S
Title IX, The Clery Act, and VAWA	April 1-September 15, 2024	Online	DoV, DaV, SA, S
National Stalking Awareness Month Display Case	January 2024	Building C Display Case	S
Clothesline Project	April 2024	Building C Stairwell	DoV, DaV, SA
Clothesline Project Shirt Creation	April 2024	Multicultural Engagement Center	DoV, DaV, SA
Sexual Assault Awareness Month Display Case	April 2024	Building C Display Case	DoV, DaV, SA
Media, Sexual Violence, & Systems of Oppression	April 3, 2024	C053/C055	DoV, DaV, SA
Denim Day Walk	April 24, 2024	Around Campus	DoV, DaV, SA
Movie: <i>Flirting with Danger</i>	April 29, 2024	C053/C055	DoV, DaV, SA
Domestic Violence Awareness Month Display Case	October 2024	Building C Display Case	DoV, DaV, SA, S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

**Procedures Reporting Party(s) Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs**

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at a forensic examiner location listed below. Sexual Assault Forensic Examiner (SAFE) exams are available at no cost. In Wisconsin, evidence may be collected even if you chose not to make a report to law enforcement.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or

may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or police.

### **SEXUAL ASSAULT FORENSIC EXAMINER LOCATIONS FOR DODGE, JEFFERSON, & WAUKESHA COUNTIES**

Aurora Medical Center in Summit  
36500 Aurora Dr.  
53066 Oconomowoc, WI  
**Emergency Department:**  
920-541-5433

Aurora West Allis/West Allis Memorial  
8901 W. Lincoln Avenue  
53227 West Allis, WI  
**Emergency Department:**  
414-219-5555

New Berlin: Moorland Reserve Emergency Department  
4805 S. Moorland Road  
53151 New Berlin, WI  
**Emergency Department:**  
262-796-0001

Aurora Sinai Medical Center  
945 N 12th St  
53233 Milwaukee, WI  
**Emergency Department:**  
414-219-5555

Menominee Falls: Community Memorial Hospital  
W180 N8085 Town Hall Road  
53051 Menominee Falls, WI  
**Emergency Department:**  
262-257-3100

Aurora Lakeland Medical Center  
W3985 County Road Nn  
53121 Elkhorn, WI  
**Emergency Department:**  
262-741-2120

Froedtert Emergency Room  
9200 W. Wisconsin Ave  
53226 Milwaukee, WI  
**Emergency Department:**  
414-805-0000

Aurora Burlington Medical Center  
252 McHenry St.  
53105 Burlington, WI  
**Emergency Department:**  
262-767-6100

Waukesha Memorial Hospital  
725 American Ave  
53188 Waukesha, WI

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order. WCTC is committed to handling complaints as promptly and effectively as possible. A standardized complaint form is available online to students, employees and stakeholders via WCTC's public website [Discrimination, Harassment, Retaliation, & Sexual Assault Misconduct Complaint Form](#). To reduce reporting hurdles and accommodate reporting party(s), WCTC does not require the Complaint Form to be

completed, rather individuals are simply asked to detail the nature of the complaint in writing. Upon submission, the reporting party is notified via e-mail that the report has been received.

Once a complaint is received, the Deputy Title IX Coordinators (Dean of Students & Director of Talent Strategy) take the lead on investigating the case. The Manager, Employee Compliance meets with the Deputy Title IX Coordinators to discuss the status of the case and ensure that the investigators are staying on task and meeting the 60-day proposed timeline directed by OCR. If the Deputy Title IX Coordinators are not able to conduct the investigation, then investigators from a pool of Human Resource Services and Student Life staff will serve as the investigation team.

- Informal Procedure: Whenever possible, the person should attempt to resolve the issue directly with the person involved. If they are not comfortable in doing so, they may seek the assistance of a third party to intervene on their behalf.
- Formal Procedure: If the student or employee believes that the issue is still not resolved to his or her satisfaction, the student or employee should contact one of the Deputy Title IX Coordinators (Dean of Students & Director of Talent Strategy), to discuss the concerns and what response the student or employee wants from the College. A formal complaint of discrimination or harassment may be filed no later than 300 days following the alleged incident of discrimination or harassment.

If, after the informal discussion, the student or employee decides to file a formal complaint, the following action should be taken:

- A formal complaint should be in writing and detail the facts and circumstances that are the basis for the complaint and identify the individual(s), procedure(s) or practice(s) at WCTC responsible for the alleged discrimination or harassment. The written complaint must be filed no later than 300 days following the alleged incident of discrimination, harassment, or retaliation and should be submitted to one of the Deputy Title IX Coordinators (Dean of Students & Director of Talent Strategy), for follow-up and investigation. All reasonable efforts will be made to complete an investigation, determine findings, and recommend action(s) to be taken within a timely manner. The administrative person shall issue a written finding identifying the result of his/her review, including, but not limited to, identifying any formal or informal resolution and any formal determination which the investigating administrator has made.

The Manager, Employee Compliance is the person responsible to ensure compliance regarding Title IX of the Education Amendments Act of 1972.

Each party is allowed to have an advocate/advisor of their choice present with them for all meetings and proceedings, from intake through to final determination. The parties may select whomever they wish to serve as their advocate/advisor as long as the advocate/advisor is eligible and available, and usually otherwise not involved in the resolution process, such as serving as a witness. The advocate/advisor may be a friend, mentor, family member, attorney or any other supporter a party chooses to advise them who is available and eligible. Witnesses cannot also serve as advocates/advisors. The parties may choose advocates/advisors from inside or outside the campus community.

### **Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

If you have been the reporting party of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the following person by calling, writing or coming into the office to report in person (if the reporting party so desires).

Manager, Employee Compliance/Title IX Coordinator  
Waukesha County Technical College  
800 Main Street  
C-217  
Pewaukee, WI 53072  
262.695.3481 (office) or [compliance@wctc.edu](mailto:compliance@wctc.edu)

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the reporting party chooses to pursue criminal charges.

### **Involvement of Law Enforcement and Campus Authorities**

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, Campus Security, Manager, Employee Compliance, or Director of Campus Security & Risk, will assist any victim with notifying law enforcement if the victim desires. The Village of Pewaukee Police Department may also be reached directly by calling 262.691.5678, or in person at 235 Hickory Street, Pewaukee, WI 53072. Additional information about the Village of Pewaukee Police department may be found online at: <https://www.villageofpewaukee.com/police-department>.

### **Off-Campus Reporting**

- If you are not safe or if you need immediate help please call **911**.
- Wisconsin's **211** line offers free direction to local human service agencies.
- Waukesha Memorial Hospital offers Waukesha County's sexual assault program. A Sexual Assault Nurse Examiner (SANE) is on-call 24 hours a day through the hospital's emergency room. (262.928.2000)
- In Milwaukee County, the Aurora Sinai and Aurora West Allis Medical Center locations offer Sexual Assault Treatment Centers. They can also be reached via phone at 414.219.5555.
- The Waukesha Women's Center offers a 24-hour hotline (262.542.3828) as well as services and support for reporting party(s) of sexual assault, abuse, and domestic violence.
- The National Sexual Assault Hotline, sponsored by RAINN (Rape, Abuse and Incest National Network), can be reached at 1.800.656.HOPE.

### **On-Campus Reporting**

- If you are not safe or if you need immediate help please call **911**.
- While on campus, employees and students may call 262.691.5582 for Campus Police.
- WCTC's on-campus Counselors (C-021) are available to provide support and counseling for students free of charge.
- Licensed Professional Counselors (LPCs) at the college may be considered confidential reporting resources.
- In the Student Life Office (C-121), students may speak to the Deputy Title IX Coordinator (Dean of Students) about filing a report or receiving direction to services.
- In the Human Resource Services Office (C-217), employees may speak to the Deputy Title IX Coordinator (Director of Talent Strategy) about filing a report or receiving direction to services.

Seek out a campus employee to assist you in getting appropriate help. For more information on related policies and resources, visit [Sexual Misconduct Policies & Resources](#).

**Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault, and Stalking is Reported**

The College has procedures in place that serve to be sensitive to reporting parties who report sexual assault, domestic violence, dating violence, and stalking.

This includes informing individuals of the following:

- Their right to file criminal charges;
- The availability of counseling, health, mental health, reporting party advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus;
- Additional remedies to prevent contact between a reporting party and an accused party, such as academic, protective orders, transportation and working accommodations, if reasonably available.

The College will make such accommodations, if the reporting party requests them and if they are reasonable and available, regardless of whether the reporting party chooses to report the crime to Campus Police or local law enforcement. Students and employees should contact the Manager, Employee Compliance to inquire about accommodations.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Incident Being Reported	Procedure Institution Will Follow
<b>Sexual Assault</b>	<ul style="list-style-type: none"> <li>✓ Depending on when reported (immediate vs delayed report), WCTC will provide reporting party with access to medical care</li> <li>✓ WCTC will provide written information to reporting party on how to preserve evidence</li> <li>✓ WCTC will assess immediate safety needs of reporting party</li> <li>✓ WCTC will assist reporting party with contacting local police if reporting party requests AND provide the reporting party with contact information for local police department</li> <li>✓ WCTC will provide reporting party with referrals to on and off campus mental health providers</li> <li>✓ WCTC will assess need to implement interim or long-term protective measures, if appropriate</li> <li>✓ WCTC will provide the reporting party with a written explanation of the reporting party’s rights and options</li> <li>✓ WCTC will provide a “No trespass” (PNG) directive to accused party, if deemed appropriate</li> <li>✓ WCTC will provide written instructions on how to apply for Protective Order</li> <li>✓ WCTC will provide a copy of the policy applicable to Sexual Assault to the reporting party and inform the reporting party regarding timeframes for inquiry, investigation and resolution</li> </ul>

	<ul style="list-style-type: none"> <li>✓ WCTC will inform the reporting party of the outcome of the investigation, whether or not the accused will be administratively charged</li> <li>✓ WCTC will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ul>
<b>Stalking</b>	<ul style="list-style-type: none"> <li>✓ WCTC will assess immediate safety needs of reporting party</li> <li>✓ WCTC will assist reporting party with contacting local police if reporting party requests AND provide the reporting party with contact information for local police department</li> <li>✓ WCTC will provide written instructions on how to apply for Protective Order</li> <li>✓ WCTC will provide written information to reporting party on how to preserve evidence</li> <li>✓ WCTC will assess need to implement interim or long-term protective measures to protect the reporting party, if appropriate</li> <li>✓ WCTC will provide the reporting party with a written explanation of the reporting party’s rights and options</li> <li>✓ WCTC will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ul>
<b>Dating Violence</b>	<ul style="list-style-type: none"> <li>✓ WCTC will assess immediate safety needs of reporting party</li> <li>✓ WCTC will assist reporting party with contacting local police if reporting party requests AND provide the reporting party with contact information for local police department</li> <li>✓ WCTC will provide written instructions on how to apply for Protective Order</li> <li>✓ WCTC will provide written information to reporting party on how to preserve evidence</li> <li>✓ WCTC will assess need to implement interim or long-term protective measures to protect the reporting party, if appropriate</li> <li>✓ WCTC will provide the reporting party with a written explanation of the reporting party’s rights and options</li> <li>✓ WCTC will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ul>
<b>Domestic Violence</b>	<ul style="list-style-type: none"> <li>✓ WCTC will assess immediate safety needs of reporting party</li> <li>✓ WCTC will assist reporting party with contacting local police if reporting party requests AND reporting party provided with contact information for local police department</li> <li>✓ WCTC will provide written instructions on how to apply for Protective Order</li> <li>✓ WCTC will provide written information to reporting party on how to preserve evidence</li> <li>✓ WCTC will assess need to implement interim or long-term protective measures to protect the reporting party, if appropriate</li> <li>✓ WCTC will provide the reporting party with a written explanation of the reporting party’s rights and options</li> <li>✓ WCTC will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ul>

**Assistance for Reporting Party(s): Rights & Options**

Regardless of whether a reporting party elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist reporting party(s) of sexual assault, domestic violence, dating violence, and stalking and will provide each reporting party with a written explanation of their rights and options. Such written information will include:

- the procedures reporting party(s) should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of reporting party(s) and other necessary parties;
- a statement that the institution will provide written notification to students and employees about reporting party services within the institution and in the community;
- a statement regarding the institution’s provisions about options for available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action.

**Restraining Orders/Orders of Protection**

Any student who has a restraining order or other order of protection against another person is encouraged to provide a copy of any temporary, protective or restraining order which is granted, as well as a copy of any protective or restraining order which is made permanent to the Director of Campus Security & Risk, Dean of Students, or designee of either. Both departments will work with the student(s) involved with any of the previously mentioned orders to create a safety plan.

**Rights of Reporting Party(s) and the Institution's Responsibilities for Orders of Protection, “No Contact” Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution**

WCTC complies with Wisconsin’s state law in recognizing orders of protection. Any person who obtains an order of protection should provide a copy to the Director of Campus Security & Risk, Dean of Students, or designee of either. A reporting party may then meet with Campus Security and Campus Police to develop a Safety Action Plan, which is a plan for Campus Police, Campus Security and the reporting party to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, counseling services and other supports and services. The College’s Director of Campus Security & Risk, or Campus Police will assist in any needed advocacy for students who wish to obtain a legal order of protection, no contact order or restraining order from local authorities.

Type Of Order	Rights of Reporting Party(s)	Institution’s Responsibilities
Orders of protection	Have order of protection enforced	Notify Police
No contact orders	Have no contact order enforced	Notify Police
Restraining orders	Have restraining order enforced	Notify Police

Similar lawful orders issued by a criminal, civil, or tribal court	Have orders enforced	Notify Police
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The reporting party is required to apply directly for these services with the Director of Campus Security & Risk or Campus Police. Protection from abuse orders may be available through local authorities.

### SAMPLE CHART DEMONSTRATING TYPES OF ORDERS AVAILABLE IN VARIOUS JURISDICTIONS

Type of Order:	Who Can File For One:	Court:	Based On:
<b>Domestic Violence Civil Protection Order-up to 5 years</b>  <b>Can be renewed**</b>	Family or household members including: <ul style="list-style-type: none"> <li>Spouses, former spouses</li> <li>Parent, child, foster parent</li> <li>People who have kids together</li> <li>Intimate partners who lived together in the last 5 years</li> <li>Same sex couples are eligible</li> </ul>	Domestic Relations Court where reporting party lives, where abuser lives or has a business, or where incident(s) occurred	Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for how recent the incident must be)
<b>Stalking Protection Order-up to 5 years</b>  <b>Can be renewed**</b>	Any person who is a reporting party of stalking. No relationship with stalker is required.	Common Pleas Court-where reporting party lives (if family or household member, can be filed as DV Protection Order (see above))	Pattern of conduct (2 or more events), Closely related in time, that causes distress or makes a reporting party believe the stalker will cause harm
<b>Sexually Oriented Offense Protection Order-up to 5 Years</b>  <b>Can be renewed**</b>	Any person who was a reporting party of a sexually oriented offense (see ORC2950.01). No relationship with offender is required. Case does not have to be criminally prosecuted.	Common Pleas Court-where reporting party lives	Sexual assault or unwanted sexual contact (see ORC 2950.01)
<b>Juvenile Protection Order-until abuser reaches age 19</b>	Reporting party of abuse by a person who is under age 18, or the reporting party's parent or other household member, or other parties the Court approves.	Juvenile Court-where reporting party lives	Assault, stalking, sexual offenses, threats of harm or aggravated trespass

### Accommodations and Protective Measures Available for Reporting Party(s)

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, WCTC will provide written notification to students and employees about accommodations available to them. WCTC will implement initial remedial, responsive, and/or protective actions upon notice of domestic violence, dating violence, sexual assault, stalking, harassment, retaliation, and/or discrimination. Such actions

could include but are not limited to protective orders (including no contact orders), providing counseling and/or medical services, academic support, living, transportation, visa and immigration assistance, student financial aid counseling, providing a campus escort, academic or work schedule and assignment accommodations, safety planning, and referral to campus and community support resources.

WCTC will take additional prompt remedial and/or disciplinary action with respect to any member of the community, guest, or visitor upon a finding that they have engaged in harassing or discriminatory behavior or retaliation.

At the victim’s request, and to the extent of the victim’s cooperation and consent, College offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic coursework, or information about protective measures, or to receive assistance in requesting these accommodations, a reporting party should contact the Manager, Employee Compliance at 262.695.3481 or [compliance@wctc.edu](mailto:compliance@wctc.edu).

**On and Off Campus Services for Reporting Party(s)**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, WCTC will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, reporting party advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement.

Resources available to persons who report being the reporting party of sexual assault, domestic violence, dating violence, or stalking, include:

[Rape, Abuse and Incest National Network](#)

[Department of Education, Office of Civil Rights](#)

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

On Campus	Types of Services Available	Contact Information
Counseling and Mental Health	Counseling, Wellness, and Support	<a href="mailto:counselingservices@wctc.edu">counselingservices@wctc.edu</a> , 262.695.3440
Campus Police	Security, policies and regulation guidance	<a href="mailto:police@wctc.edu">police@wctc.edu</a> , 262.691.5582
Student Financial Aid	Financial support	<a href="mailto:money@wctc.edu">money@wctc.edu</a> , 262.691.5436
Off Campus	Type of Services Available	Contact Information

Health	Waukesha Memorial Hospital	725 American Ave, Waukesha, WI 53188 262.928.2000
Mental Health	National Alliance on Mental Health	Home   NAMI: National Alliance on Mental Illness
	The Jed Foundation	Home - The Jed Foundation (JED)
	Mental Health America	MHA   Mental Health America ( <a href="http://mhanational.org">mhanational.org</a> )
Victim Advocacy	The Waukesha Women’s Center	505 N East Ave, Waukesha, WI 53186 262.542.3828
	The National Sexual Assault Hotline	1.800.656.HOPE
LifeMatters	Employee Assistance Program	1.800.634.6433
Student Financial Aid	Federal Student Aid	<a href="http://www.studentaid.gov">www.studentaid.gov</a>

### Confidentiality

Victims may request that directory information on file with the College be withheld by request to Registration and Records, room C-019, [webreg@wctc.edu](mailto:webreg@wctc.edu), or 262.691.5578.

Regardless of whether a victim has opted-out of allowing the College to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, WCTC will maintain as confidential any accommodations, or protective measures, provided confidentiality does not impair WCTC to provide the accommodations or protective services.

The College does not publish the name of crime reporting party(s) or other identifiable information regarding reporting party(s) in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the reporting party and other personally identifiable information about the reporting party will be withheld.

WCTC’s policy on record privacy and releasing information follows the directives outlined in the Family Education Rights and Privacy Act (FERPA), the federal law governing the protection of written educational records.

Only the student may authorize the release of their personal identifiable information in an education record. All such authorizations must be in writing.

### Adjudication of Violations

The College’s disciplinary process includes a prompt, fair, and impartial initial investigation and final resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the accuser and the accused. Usually, the resolution of

domestic violence, dating violence, sexual assault and stalking complaints are completed within the timeframe specified in each policy the institution maintains. However, each procedure allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained by the Association of Title IX Administrators (ATIXA) annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

Furthermore, each policy provides that:

- The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
- The accuser, the accused and the appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
- The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
- The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to consultation and supporting his or her advisee but not speak for the advisee at any meeting or hearing. The Advisor may confer quietly or in writing with their advisee as necessary, so long as doing so does not disrupt the investigatory process. Advisors are expected to refrain from interference with the investigation;
- The accuser and the accused will be notified in writing of the initial, interim and final decision of any disciplinary proceeding; and
- Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

### ***Investigation Process for Dating Violence, Domestic Violence, Sexual Assault, & Stalking***

The College will promptly act when it has actual knowledge of sex discrimination or sexual harassment in its domestic education programs or activities, meaning that the Title IX Coordinator or any non-confidential College employee has notice of sexual harassment or allegations thereof.

The Procedure described below applies to all allegations of discrimination or harassment on the basis of sex. Allegations of discrimination and harassment based on all other protected classes are covered by the College's Equal Opportunity, Harassment and Discrimination Policy (HR-LA-601) and accompanying Procedure (HR-LA-601.01). This Procedure may also be used to address collateral misconduct occurring in conjunction with sex-based discriminatory or harassing conduct (e.g. vandalism, academic dishonesty, etc.). All members of the College community are expected to comply with this Policy and its accompanying Procedure. Failure to do so may result in disciplinary action.

## Overview

Upon actual knowledge to the Title IX Coordinator or any non-confidential College employee, this resolution process involves offering supportive measures and, in some circumstances, starting a formal grievance process. If a formal grievance process is required, the College will initiate an investigation that is thorough, reliable, impartial, prompt and fair. The investigation and subsequent resolution process determines whether sex discrimination or sexual harassment has occurred. If so, the College will promptly implement effective remedies designed to end the discrimination or harassment, prevent its recurrence, and address its effects.

### 1. Key Definitions

- a. **Reporter:** Reporter refers to an individual, participating in or attempting to participate in the College's education program or activity, who is alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment.
- b. **Respondent:** Respondent refers to an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination or sexual harassment. The Respondent may be an individual or a group/organization (such as a student organization).
- c. **Parties:** The Reporter and the Respondent are collectively referred to as the Parties.
- d. **Title IX Coordinator:** A trained, unbiased administrator designated by the College to oversee the investigation and resolution of reports or complaints regarding sex discrimination or sexual harassment. The Title IX Coordinator receives formal complaints and can also file formal complaints under some circumstances. The College's Manager, Employee Compliance is its Title IX Coordinator.
- e. **Actual Knowledge:** Notice of sexual harassment or allegations thereof to the Title IX Coordinator or any non-confidential College employee.
- f. **Formal Complaint:** A document, in no specific form, filed by the Reporter or signed by the Title IX Coordinator alleging sex discrimination or sexual harassment against the Respondent and requesting that the College investigate the allegations.
- g. **Supportive Measures:** Non-disciplinary, non-punitive, free individualized services offered as appropriate, as reasonably available, and without fee or charge to the Reporter or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.
- h. **Investigator:** A trained, unbiased individual designated by the Title IX Coordinator to assist with the investigation of formal complaints. The Investigator(s) makes a recommendation to the Title IX Coordinator regarding whether sex discrimination or sexual harassment has occurred. The Investigator(s) cannot be the same person as the Decision-Maker(s) or the Title IX Coordinator.
- i. **Decision-Maker:** A trained, unbiased individual designated by the Title IX Coordinator to determine whether sex discrimination or sexual harassment has occurred. The Decision-Maker(s) cannot be the same person as the Title IX Coordinator or the Investigator(s) and cannot have a reporting relationship to the Title IX Coordinator.
- j. **Facilitator of Informal Resolution Process:** A trained, unbiased individual designated by the Title IX Coordinator to facilitate an informal resolution process, if it is elected by the Parties and otherwise permissible under this procedure.
- k. **Appellate Officer:** A trained, unbiased individual designated by the Title IX Coordinator to oversee the appeals process. The Appellate Officers cannot be the same person as the Title IX Coordinator, the Investigator(s) or the Decision-Maker(s), and cannot have a reporting relationship to the Title IX Coordinator.
- l. **Prohibited Sex Discrimination:** Prohibited sex discrimination includes a broad range of discriminatory conduct based on an individual's sex that adversely affects employment or unreasonably interferes with education, such as refusing to hire an applicant because of his or her

sex, terminating an employee because of his or her sex, refusing to admit a prospective student because of his or her sex, or issuing academic or disciplinary sanctions to a student because of his or her sex.

**m. Prohibited Sexual Harassment Under Title IX:** Prohibited sexual harassment under Title IX is conduct on the basis of sex that satisfies one or more of the following:

- An employee conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;
- 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 College's education program or activity;
- Sexual assault - An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, including but not limited to rape, sexual battery, sexual abuse, and sexual coercion;
- 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, and where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - the length of the relationship,
  - the type of relationship, and
  - the frequency of interaction between the persons involved in the relationship.
- Domestic violence - Felony or misdemeanor crimes 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 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
- Stalking - Either a course of conduct directed at a specific person on the basis of sex that is unwelcome and would cause a reasonable person to feel fear; or the repetitive and menacing pursuit, following, harassing, and/or interfering with the peace and/or safety of another.

**n. Other Prohibited Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or learning environment.

**o. Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you." "Okay, don't hit me, I'll do what you want.").

**p. Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**q. Consent:** Consent is knowing, voluntary, and clear permission by words or actions to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent can be withdrawn once given, as long as the withdrawal is clearly communicated.

- Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced.
- Silence or the absence of resistance alone is not consent. There is no requirement on a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of consent is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition nonconsensual, but nonconsensual sexual activity is not by definition forced.

**r. Incapacitation:** Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs or because of a mental disability. It is not an excuse that the Respondent was intoxicated and, therefore, did not realize the incapacity of the Reporter. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated the College’s Sexual Harassment and Sex Discrimination Policy (HR-LA 602) (the “Policy”).

- In Wisconsin, a minor (meaning a person under the age of 18 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 18 years old may be a crime, and a violation of the Policy, even if the minor wanted to engage in the act.

## **2. Reporting Actual or Suspected Sex Discrimination or Sexual Harassment Informal Reporting**

Any student, employee, other member of the community, vendor, volunteer, guest, or visitor who believes that sex discrimination or sexual harassment has occurred should promptly notify the Title IX Coordinator or Campus Security. It is also possible for employees to notify a supervisor, or for students to notify an administrative advisor or faculty member, who will in turn inform the Title IX Coordinator. The College’s website also includes a reporting form at [Discrimination, Harassment, Retaliation, & Sexual Misconduct Complaint Form](#), which may be used to make an informal report of sex discrimination or sexual harassment.

## **3. Discussion and Implementation of Supportive Measures**

As soon as the College has received a report of possible sex discrimination or sexual harassment, the Title IX Coordinator will promptly contact the Reporter to discuss the availability of supportive measures (which may be provided whether or not the Reporter chooses to file a formal complaint), consider the Reporter’s wishes with respect to supportive measures, and explain to the Reporter the process for filing a formal complaint. The Title IX Coordinator may also inform the Respondent of the availability of supportive measures as appropriate based on the individual circumstances of the case. Supportive measures may include but are not limited to:

- Referral to counseling services;
- Course-related adjustments and extensions;

- Modifications of work or class schedules;
- Alteration of work arrangements for employees;
- Leaves of absence;
- Providing campus escorts;
- Implementing contact limitations between the Parties; or
- Referral to the Employee Assistance Program; and
- Education to the community.

The College will maintain as confidential supportive measures offered to the Reporter or Respondent, provided confidentiality does not impair the College's ability to provide supportive measures or pursue its investigation and resolution process as necessary.

#### **4. Formal Reporting**

A formal complaint alleges sex discrimination or sexual harassment against a Respondent, and requests that the College investigate such allegations. A formal complaint may be filed by a Reporter who is participating in or attempting to participate in an education program or activity of the College at the time of filing. A formal complaint may also be filed by the Title IX Coordinator. The College will initiate a formal grievance process for each formal complaint it receives. Formal complaints can be made in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such reports may be made at any time, including during non-business hours. The College will initiate its formal grievance process for each formal complaint it receives. Individuals found to have engaged in prohibited sex discrimination or sexual harassment under the grievance process will be subject to disciplinary action, up to and including termination (for employees) and suspension or expulsion (for students).

If the Reporter does not wish for his or her name to be shared, does not wish for an investigation to take place, or does not want to pursue a formal resolution, the Reporter may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. The College retains the right to investigate regarding allegations of discrimination, harassment, or retaliation even if the Reporter indicates he or she does not wish for an investigation to take place. Note that the College's ability to remedy and respond to a reported incident may be limited if the Reporter does not wish for his or her name to be shared or does not want to pursue a formal resolution.

Formal reporting still affords confidentiality to the Reporter. The College will maintain the confidentiality of the Reporter, except as may be permitted under the Federal Educational Rights and Privacy Act, as required by applicable federal, state, or local law, or as necessary to carry out the investigation and resolution process. Generally, only a small group of officials who need to know will be told about a formal complaint, including but not limited to: Title IX Coordinator, Deputy Title IX Coordinators, Associate Vice Provost for Student Affairs, Vice President for Human Resources & Legal Affairs, CARE Team, and Campus Security. Information will be shared as necessary with investigators, witnesses and the Respondent. The circle of people with this knowledge will be kept as tight as possible to preserve the Parties' rights and privacy. Additionally, anonymous reports can be made by victims and/or third parties using the online reporting form posted at [Discrimination, Harassment, Retaliation, & Sexual Misconduct Complaint Form](#). Note that these anonymous reports may prompt a need for the institution to investigate.

## **5. Formal Grievance Process: Preliminary Inquiry**

Following receipt of notice or a report of a violation of the Policy, the Title IX Coordinator will commence a preliminary inquiry to make a threshold decision regarding whether the College should further pursue the formal grievance process or dismiss the formal complaint, and to determine whether the safety or well-being of any member(s) of the campus community may be jeopardized by the on-campus presence of the student or employee, or the student organization, whose behavior is in question, thereby necessitating the temporary suspension of the student, employee, or organization pending the completion of the investigation. The preliminary inquiry will be based on a review of the report of a violation of the Policy and is typically three to five (3-5) calendar days in duration.

### **Dismissal**

Formal complaints will be dismissed for purposes of Title IX if the conduct alleged would not constitute prohibited sexual harassment under Title IX, did not occur in the College's education program or activity, or did not occur against a person in the United States. However, the College may retain jurisdiction and investigate pursuant to this grievance process if the conduct alleged constitutes "Other Prohibited Sexual Harassment" or otherwise violates the College's conduct, policies and procedures.

Formal complaints, or any allegations therein, may also be dismissed, in the College's discretion, if at any time during the formal grievance process, the Reporter notifies the Title IX Coordinator in writing that the Reporter would like to withdraw the formal complaint or any allegations therein, the Respondent is no longer enrolled at or employed by the College, or specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint.

Upon dismissal of a formal complaint, the College will promptly send written notice of the dismissal and reasons for the dismissal simultaneously to the Parties via email and/or certified mail. Absent extenuating circumstances, such notice will generally be provided within three (3) calendar days of the dismissal decision. The Parties can appeal this dismissal, under the procedures described below. The College, in its sole discretion, may consolidate formal complaints where the allegations arise out of the same facts.

### **Temporary Suspension**

In all cases in which a temporary suspension is imposed, the student, employee, or student organization will be given the option to meet with the Investigator(s) prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. The Title IX Coordinator or designee has sole discretion to implement or stay a temporary suspension and to determine its conditions and duration. Violation of a temporary suspension under this Procedure will be grounds for expulsion or termination.

During a temporary suspension or administrative leave, the student, employee, or student organization may be denied access to the College's campus, facilities, and events. As determined by the Title IX Coordinator (or designee), this restriction can include classes and other College activities or privileges for which the student, employee, or student organization might otherwise be eligible. At the discretion of the Title IX Coordinator (or designee) alternative coursework options may be pursued to ensure as minimal an impact as possible on a suspended student.

## **Emergency Removal**

The College may remove a Respondent from its education program or activity on an emergency basis if, after undertaking an individualized safety and risk analysis, it determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. The College will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal. The College may also place non-student employee respondents on administrative leave while a Title IX grievance process is pending.

## **Further Pursuance of the Grievance Process and Notice**

If the Title IX Coordinator determines that the complaint is not subject to dismissal and therefore the formal grievance process should continue, the College will promptly assign the matter to an Investigator(s) and send written notice to the Reporter and Respondent via email and/or certified mail. To the extent known, the written notice will contain the following:

- The allegations of prohibited sex discrimination or sexual harassment;
- Explanation of the College's formal grievance process, including informal resolution;
- Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the formal grievance process;
- Statement that the Parties may have an advisor of their choice, who may be an attorney;
- Statement informing the Parties that they may inspect and review evidence;
- Reference to the provision in the College's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the formal grievance process;
- Notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the Parties to prepare to participate.

The Investigator(s) will supplement this written notice during the course of the investigation, including if the College decides to investigate allegations about the Reporter or Respondent that are not included in the original notice, and send to the Reporter, Respondent, and any other Parties identified.

## **6. Advisors**

Each party is allowed to have one Advisor of their choice present with them for all meetings and proceedings throughout the resolution process. Advisors should help their advisees prepare for each meeting, and are expected to advise ethically, with integrity, and in good faith.

The Parties may select whomever they wish to serve as their Advisor as long as he or she is available and not otherwise involved in the resolution process. The Advisor may be a friend, mentor, family member, attorney, or any other supporter a party chooses. The College cannot guarantee equality in the type or effectiveness of an Advisor. For example, one party may be able to afford an attorney, and the other party may not. The decision to enlist or hire an Advisor for the investigatory process is entirely that of a party. The College is not obligated to, nor will it, provide an Advisor for the investigatory process. In the event either the Reporter or the Respondent do not have an Advisor for the hearing process, The College will appoint an Advisor for either or both Parties.

The College requests that the Parties advise the Investigator(s) of the identity of their Advisor as soon as possible and at least five (5) calendar days before the date of their first interview with the Investigator(s). Although disfavored, a party may elect to change Advisors during the process. If a party

chooses to change Advisors, the party must promptly provide notice to the Title IX Coordinator of the change and the identity of the new Advisor. The College expects an Advisor to adjust his or her schedule to allow for attendance at interviews, meetings, and the hearing. The College does not typically change scheduled meetings, interviews, or the hearing to accommodate an Advisor's inability to attend. The College may, however, make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video, and/or virtual meeting technologies that may be convenient and available.

During investigatory interviews, Advisors generally may not speak on behalf of their advisee to the Investigator(s). The Advisor may confer quietly or in writing with their advisee as necessary, so long as doing so does not disrupt the investigatory process. Advisors are expected to refrain from interference with the investigation. Any Advisor who steps out of their role will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of his or her role, the Advisor will be asked to leave the interview. When an Advisor is removed from an investigatory interview, that interview will typically continue without the Advisor present.

The College expects that the Parties will wish to share documentation related to the allegations with their Advisors. The College provides a consent form that authorizes such sharing. The Parties and their Advisors must complete this form before the College is able to share records with an Advisor. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the privacy expectations.

## **7. Informal Resolution**

The College may choose to offer the Parties an opportunity to informally resolve a formal complaint if both parties voluntarily agree to attempt informal resolution, and informal resolution is appropriate under the circumstances. The informal resolution process may occur at any time prior to reaching a determination regarding responsibility, as long as the Reporter has filed a formal complaint. The College will not offer informal resolution to resolve allegations that an employee sexually harassed a student.

To proceed with informal resolution, the Parties' voluntary, written consent must be submitted to the College. Once such consent is obtained, and the College has determined that informal resolution is appropriate, The College will provide to the Parties, via email and/or certified mail, written notice disclosing the allegations, and other rights and requirements of the informal resolution process. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the formal grievance process.

In an informal resolution meeting, a neutral, College-assigned facilitator will foster a dialogue with the Parties to an effective resolution, if possible. Informal resolution agreements are treated as contracts; the Parties remain free to negotiate the terms, and the agreements are binding once entered into. The Reporter's and Respondent's Advisor may attend the informal resolution meeting. The Title IX Coordinator will keep records of any resolution that is reached, and failure to abide by the agreed upon resolution may result in sanctions. In the event the Parties are unable to reach a mutually agreeable resolution, the matter will be referred to the formal grievance process as appropriate. The content of the Parties' discussions during the informal resolution process will be kept confidential in the event the matter proceeds to the formal grievance process. The Parties' agreement to participate in informal

resolution shall not be a factor in any subsequent decisions regarding whether sexual harassment occurred.

## **8. Formal Grievance Process: Investigation**

The investigation entails interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, as necessary. All investigations will be thorough, reliable, impartial, and fair. Further, all investigations will be completed in a timely manner. The length of a given investigation depends on numerous factors, including the nature, extent, and complexity of the allegations and the availability of witnesses. A delay may also occur when criminal charges on the basis of the same behaviors that invoke this process are being investigated, to allow for evidence collection by the law enforcement agency. The College will promptly resume its investigation and resolution processes once notified by law enforcement that the initial evidence collection process is complete. College action will not typically be altered or precluded on the grounds that civil charges involving the same incident have been filed, or that criminal or civil charges have been dismissed or reduced.

During the investigation, the Investigator(s) will typically take the following steps (not necessarily in order):

- In coordination with the Title IX Coordinator, initiate or assist with any necessary interim supportive measures;
- Identify all policies allegedly violated;
- Gather evidence (will have to be available at all hearings), including through interviews with the Reporter, the Respondent, and any witnesses and through review of electronic or hard copy information relevant to the allegations;
- Send Parties and their Advisors evidence directly related to the allegations, with ten (10) calendar days for the parties to inspect, review and respond to evidence;
- Provide regular updates to the Reporter and the Respondent, as appropriate, throughout the investigation;
- At the conclusion of the investigation, prepare and send to Parties and their Advisors an investigative report containing only relevant evidence, to be kept by the Title IX Coordinator;
- Provide the Parties an opportunity to read the investigation report. The parties shall be offered a full and fair opportunity to respond within ten (10) calendar days to the investigation report;
- Provide the Parties the final investigation report at least ten (10) calendar days before a determination of responsibility or hearing.

In performing these steps, the Investigation(s) will:

- Provide written notice of to the Parties of any investigative interviews or meetings at which they are expected to attend;
- Allow the Parties the opportunity to identify relevant witnesses and other evidence and suggest questions they wish the Investigator(s) to ask of the other party and witnesses;
- Provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence; and
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

Witnesses are expected to cooperate with and participate in the College's investigation. Failure of a witness to cooperate with, and/or participate in the investigation may result in disciplinary action.

Witnesses may provide written statements in lieu of interviews during the investigation and may be interviewed remotely by phone, or video conference, if they cannot be interviewed in person, or if the Investigator(s) determines that timeliness or efficiency dictate a need for remote interviewing.

Parties who elect not to participate in the investigation, or to withhold information from the investigation, do not have the ability to offer evidence later during the appeal if it could have been offered during the investigation. Failure to offer reasonably available evidence prior to an appeal does not constitute grounds for appeal on the basis of new evidence.

All investigation meetings are private. No unauthorized audio or video recording of any kind is permitted during investigation meetings. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with College's policies. While the contents of the proceedings are private, the Parties have discretion to share their own experiences if they choose and should discuss doing so with their Advisors.

## **9. Withdrawal or Resignation While Charges Pending**

### Students

Should a Respondent student decide to withdraw from the College and not participate in the investigation, the process will nonetheless proceed in the Respondent student's absence to a reasonable resolution so that a determination of responsibility can be made. If a Respondent student is found to have engaged conduct violative of Title IX, that student will not be permitted to return to the College unless all implemented sanctions have been satisfied.

### Employees

Should a Respondent employee resign with unresolved allegations pending, the resolution process will nonetheless proceed in the Respondent employee's absence to a reasonable resolution so that a determination of responsibility can be made. The investigation report of the Title IX Coordinator will reflect that status, and if the Respondent employee is found to have engaged conduct violative of Title IX, the Respondent employee will be ineligible for rehire with the College. Any College responses to future inquiries regarding employment references for that individual will indicate the former Respondent employee is ineligible for rehire.

## **10. Formal Grievance Process: Live Hearing**

After the investigation, the formal grievance process proceeds to a live hearing in front of the Decision Maker(s). At least fourteen (14) calendar days prior to the hearing, or as far in advance as is reasonably possible, the Decision-Maker(s) will send a letter to the Parties by email and/or certified mail with the following information:

- a. An indication that the Parties may have the assistance of an Advisor of their choosing at the hearing, and that if a party does not have an Advisor of their choosing, the College will provide that party with an Advisor of the College's choice, who will conduct cross-examination,
- b. The time, date and location of the hearing; and
- c. A copy of the investigative report.

For good cause, the Decision-Maker(s) may grant requests to reschedule the hearing date.

At least seven (7) calendar days prior to the hearing, the Parties will provide the Decision-Maker(s) a list of the names of the proposed witnesses and copies of all proposed documentary evidence.

At least five (5) calendar days prior to the hearing, the Decision-Maker(s) will have the names of proposed witnesses and copies of all pertinent documentary evidence available for the Parties.

During the hearing, all Parties will have ample opportunity to present facts and arguments in full and question all present witnesses. Formal cross-examination between the Parties can only be conducted by the Advisors.

The Decision-Maker(s), in consultation with the Parties and the Investigator(s), may decide in advance of the hearing that certain witnesses do not need to be physically present at the live hearing. Further, at the request of either party, the Decision-Maker shall arrange for the live hearing to occur while the Parties are located in separate rooms, with technology enabling them to see and hear each other. If such alternative attendance or questioning mechanisms are desired, the Parties should request them from the Decision Maker(s) at least two (2) calendar days prior to the hearing.

### **Conduct of Hearing**

The Decision-Maker(s) shall preside over the hearing, call the hearing to order, ascertain the presence or absence of the Investigator(s), the Title IX Coordinator, the Reporter and Respondent, and their Advisors. The Decision-Maker will confirm receipt of the notice of hearing and report any extensions requested or granted. The hearing shall then proceed as follows:

#### **a. Investigator(s) Report and Testimony**

The Investigator(s) will first present the written investigative report and may give a narrative report of the investigation, and then be subject to questioning by the Reporter, the Respondent and the Decision-Maker(s). The Investigator(s) may also call witnesses who will be subject to questioning by the Investigator(s), the Reporter, the Respondent and the Decision-Maker(s). The Investigator(s) may also submit documentary evidence. The Investigator(s) will remain present during the entire hearing process.

#### **b. Reporter's Evidence**

The Reporter may give testimony and be subject to questioning by the Investigator(s), the Respondent (through his or her Advisor) and the Decision-Maker(s). The Reporter (through his or her Advisor) may also call and ask relevant questions of witnesses who may also then be asked relevant questions by the Respondent, the Investigator(s) and the Decision-Maker(s). The Reporter may also submit documentary evidence.

#### **c. Respondent's Evidence**

The Respondent may give testimony and be subject to questioning by the Investigator(s), the Reporter (through his or her advisor) and the Decision-Maker(s). The Respondent (through his or her Advisor) may also call and ask relevant questions of witnesses who may also then be asked relevant questions by the Reporter, the Investigator(s) and the Decision-Maker(s). The Respondent may also submit documentary evidence.

### **Additional Rights and Authority of the Decision-Maker(s)**

The Decision-Maker(s) shall:

- Operate with a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process;
- Determine the relevancy and admissibility of any evidence offered at the hearing;
  - In doing so, the Decision-Maker shall determine whether a question is relevant before the Reporter, Respondent or witness answers it
    - Questions challenging credibility may be relevant.

- Questions about the Reporter’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Reporter’s prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Reporter, or if the questions and evidence concern specific incidents of the Reporter’s prior sexual behavior with respect to the Respondent and are offered to prove consent.
- Have the authority to exclude a witness proposed by the Investigator(s), the Reporter, or the Respondent if it is determined that his/her testimony would be redundant or not relevant;
- Have the authority to dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the Decision-Maker(s) rulings.
- Not make any inferences based solely on a party or witness’s absence from the live hearing or refusal to answer cross-examination or other questions.

The College will create an audio or audiovisual recording of any live hearing and make it available to the Parties for inspection and review. The recording will not be open to the public.

### **11. Formal Grievance Process: Determination Regarding Responsibility**

The Decision-Maker(s) will issue a written determination regarding responsibility, applying the preponderance of the evidence standard. This written determination will be provided by email and/or certified mail to the Parties simultaneously, and will include:

- Identification of the portions of the College’s policies alleged to have been violated;
- A list of each allegation of sex discrimination or sexual harassment;
- The procedural steps taken from the receipt of the formal complaint through the determination;
- Findings of fact;
- A statement of the result as to each allegation, and the rationale for the same;
- Conclusions about the College’s policies as applied to the facts and statement of results as to each allegation;
- A determination regarding responsibility, sanctions, and any remedies designed to restore or preserve equal access to the College’s education program or activity;
- A statement that the Parties have a right to appeal and the procedures and permissible bases for doing so.

Absent extenuating circumstances, the Decision-Maker(s) will issue the written determination within fourteen (14) calendar days of the hearing. In the event the Decision-Maker(s) will deviate from this timeline, the College will issue simultaneous written notice to the Parties.

The Decision-Maker’s determination becomes final on the date on which an appeal would no longer be considered timely.

### **12. Sanctions**

The Decision-Maker will issue sanctions and/or provide remedies any time a Respondent is found responsible for conduct that constitutes prohibited sex discrimination or sexual harassment. Where the Reporter is a College student, such sanctions and/or remedies must be designed to maintain the Reporter’s equal access to education.

Factors considered when the Decision-Maker(s) is determining a sanction/remedy may include:

- The nature, severity of, and circumstances surrounding the sex discrimination or sexual harassment;
- An individual's disciplinary history;
- Previous allegations or allegations involving similar conduct;
- The need for sanctions/remedies to bring an end to and/or prevent the future recurrence of the sex discrimination or sexual harassment;
- The need to remedy the effects of the sexual harassment on the Reporter and the community; and
- Any other information deemed relevant by the Decision-Maker(s).

#### Examples of Student Sanctions:

The following are examples of sanctions that may be imposed upon Respondent students or organizations, singly or in combination, who are found to have engaged in sex discrimination or sexual harassment:

- **Warning:** A formal statement that the behavior was unacceptable and a warning that further infractions will result in more severe sanctions/remedies.
- **Probation:** A written reprimand for violation of the Code of Student Conduct, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any College policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders, and/or other measures deemed appropriate.
- **Suspension:** Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at the College. This sanction may be noted as a Conduct Suspension on the student's official transcript, at the discretion of the Title IX Coordinator.
- **Expulsion:** Permanent termination of student status, revocation of rights to be on campus for any reason or attend College sponsored events. This sanction will be noted as a Conduct Expulsion on the student's official transcript.
- **Withholding Diploma:** The College may withhold a student's diploma for a specified period of time, and/or deny a student participation in commencement activities as a sanction if the student is found responsible for an alleged violation.
- **Revocation of Degree:** The College reserves the right to revoke a degree awarded for fraud, misrepresentation or other violation of College policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- **Organizational Sanctions:** Deactivation, de-recognition, loss of all privileges (including College registration), for a specified period of time.
- **Other Actions:** In addition to, or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

#### Examples of Employee Sanctions:

The following are examples of sanctions that may be imposed upon Respondent employees, singly or in combination, who are found to have engaged in sex discrimination or sexual harassment:

- Warning-Verbal or Written;
- Letter of Expectation/Performance Improvement Plan;
- Required Counseling;

- Required Training or Education;
- Probation;
- Loss of Annual Pay Increase;
- Loss of Oversight or Supervisory Responsibility;
- Demotion;
- Suspension with pay;
- Suspension without pay;
- Termination; and
- Other Actions: In addition to, or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

All Respondents are expected to comply with sanctions, remedies and corrective actions within the timeframe specified by the Decision-Maker(s). Failure to abide by these sanctions, remedies and corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and may be noted on a student’s official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator (or designee). The Title IX Coordinator may stay the implementation of sanctions pending the outcome of a timely appeal.

### **13. Formal Grievance Process: Appeals**

The College offers the Parties the opportunity to appeal from a determination regarding responsibility or a dismissal of a formal complaint, or any allegations therein. All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within ten (10) calendar days of the delivery of the written findings to the appealing party. Any party may appeal a dismissal or a determination and/or sanctions under the grounds described below:

- Procedural irregularity that affected the outcome of the matter.
- Newly discovered evidence that could affect the outcome of the matter.
- Title IX personnel (i.e. the Investigator(s), the Decision-Maker(s), or the Title IX Coordinator) had a conflict of interest or bias that affected the outcome of the matter.

The Title IX Coordinator will determine the Appellate Officer based off of factors including, but not limited to, nature of the complaint, and/or any prior relationship to the Reporter and/or Respondent.

The Appellate Officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. If the appeal is not timely or substantively eligible, the original finding and/or sanction(s) will stand, and the decision is final.

If the appeal is timely and substantively eligible, the Appellate Officer will provide written notification simultaneously to the Parties within ten (10) calendar days of receipt of the appeal indicating whether the appeal has been accepted or rejected, and the rationale for the result.

If the Appeal has been accepted, the Appellate Officer will give the Parties five (5) calendar days to submit a written statement in support of or challenging the appeal. In addition, and if applicable, the Appellate Officer will review the hearing record and may also consult with the Decision-Maker(s), Investigator(s) and the Title IX Coordinator on any procedural or substantive questions that arise. After taking the foregoing steps, the Appellate Officer will prepare a determination and submit written notification to the Parties, generally within twenty-one (21) calendar days of receiving notice that the appeal has been accepted. In cases where the appeal results in reinstatement to the College or

resumption of privileges, all reasonable attempts will be made to restore the Respondent to his or her prior status, recognizing that some opportunities lost may be irreparable in the short term.

#### **14. Retaliation**

Retaliation is defined as any adverse action taken against a person because he or she engaged in protected activity. Retaliation, intimidation, or threats against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or formal complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding, or hearing relating to an allegation of sex discrimination or sexual harassment is a serious violation of College policy. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The College is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

#### **15. Records**

In implementing this Procedure, records of all allegations, supportive measures or other responses to reports and formal complaints, investigations, determinations, sanctions, remedies, informal resolutions, recordings and/or transcripts, hearings, and appeals will be kept by the Title IX Coordinator in the College's conduct/ investigatory database, and in paper form. Additionally, the College will maintain, both in the database and in paper form, all materials used to train the Title IX Coordinator, the Investigator(s), the Decision-Maker(s), and the facilitators of the informal resolution process. The College will maintain all such records for seven years.

#### **16. Revision**

This Procedure will be reviewed and updated periodically by the Title IX Coordinator, in collaboration with the Title IX Committee. The College reserves the right to make changes to this Procedure as necessary to ensure compliance with Title IX and any other applicable federal, state, or local law or regulation. Once those changes are posted online, they are in effect. The Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any Party. The Title IX Coordinator may also vary procedures materially with notice (on the College's website, with appropriate date of effect identified) upon determining that changes to applicable laws or regulations require alterations. The Procedure in effect at the time of the resolution will apply to the resolution of incidents, regardless of when the incident occurred, unless the Parties consent to be bound by the current Procedure (if different from the Procedure in effect at the time of the resolution). If applicable laws or regulations change in a way that impacts this Procedure, it will be construed to comply with those laws and/or regulations.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such codes generally.

This Procedure is effective as of August 14, 2020, and will apply thereafter to all circumstances involving sex discrimination or sexual harassment over which the College has jurisdiction.

**Questions or complaints regarding Title IX, affirmative action, or equal opportunity can be directed to:**

Manager, Employee Compliance  
Waukesha County Technical College  
800 Main Street, Pewaukee, WI 53072  
262.695.3481 or [compliance@wctc.edu](mailto:compliance@wctc.edu)

### **Preparation of the Annual Disclosure of Crime Statistics**

Waukesha County Technical College complies with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* and prepares a College Safety and Security Resource Guide ([Annual Security Report](#)) disclosing crimes that have occurred on campus. Campus crime, arrest, and referral statistics include those reported to law enforcement agencies that have jurisdiction over other non-campus locations, and to College officials. All crimes reported to law enforcement are included in this report.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the College community obtained from the following sources: the Campus Security & Risk Office, the local Police Department, and Campus Security Authorities. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law). Statistical information is requested and provided to the Director, Campus Security & Risk by the employees at the College's Mental Health Counseling Center, even though they are not required by law to provide statistics for the compliance document.

All of the statistics are gathered, compiled, and reported to the College community via this report, which is published by the Manager, Employee Compliance and the Director, Campus Security & Risk. WCTC's Director, Campus Security & Risk submits the annual crime statistics published in this document to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the [ED website](#).

A crime that is "unfounded" can only be done so by the reporting law enforcement agency and within the guidelines set forth by the Uniform Crime Reporting system. Should a report be "unfounded", it will be withheld from the crimes statistics in both the Clery report and this Resource Guide. A footnote will be made to indicate a report(s) was unfounded in a specific offense category. A copy of this report can be obtained from the Campus Security Office in C-042, in the College Center (C-Building) on the Pewaukee Campus.

### **Sex Offender Registration**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In Wisconsin, convicted sex offenders must register with the Wisconsin Department of Corrections. You can link to this information, which appears on Wisconsin Department of Corrections website at [Wisconsin Department of Corrections-Sex Offender Registry](#).

## **HIGHER EDUCATION OPPORTUNITY ACT (HEOA) NOTIFICATION TO VICTIMS OF CRIMES OF VIOLENCE**

The College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased

as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

## **SEPARATE CAMPUSES**

All policy statements contained in this report apply to the Pewaukee and Waukesha campuses unless otherwise indicated.

### Crime Statistics-WCTC Main Campus (Pewaukee)

<b>CRIMINAL OFFENSES REPORTING TABLE</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>
<b>Murder/Non-Negligent Manslaughter</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Manslaughter by Negligence</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Rape</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Fondling</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Incest</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Statutory Rape</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Robbery</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Aggravated Assault</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Burglary</b>	2024	0	0	0
	2023	0	0	0
	2022	1	0	0
<b>Motor Vehicle Theft</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Arson</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0

<b>VAWA OFFENSES REPORTING TABLE</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>
<b>Domestic Violence</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Dating Violence</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Stalking</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0

<b>ARRESTS &amp; DISCIPLINRY REFERRALS REPORTING TABLE</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>
<b>Arrests: Weapons: Carrying, Possessing, etc.</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Disciplinary Referrals: Weapons: Carrying, Possessing, etc.</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Arrests: Drug Abuse Violations</b>	2024	0	0	0
	2023	1	0	0
	2022	0	0	0
<b>Disciplinary Referrals: Drug Abuse Violations</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Arrests: Liquor Law Violations</b>	2024	0	0	0
	2023	1	0	0
	2022	0	0	0
<b>Disciplinary Referrals: Liquor Law Violations</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0

**Hate Crimes:**

**2024: 0**

**2023: 0**

**2022: 0**

**Unfounded Statistics:**

**2024: 0**

**2023: 0**

**2022: 1**

**\*WCTC does not have residential facilities**

### Crime Statistics-WCTC Waukesha Campus

<b>CRIMINAL OFFENSES REPORTING TABLE</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>
<b>Murder/Non-Negligent Manslaughter</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Manslaughter by Negligence</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Rape</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Fondling</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Incest</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Statutory Rape</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Robbery</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Aggravated Assault</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Burglary</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Motor Vehicle Theft</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Arson</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0

<b>VAWA OFFENSES REPORTING TABLE</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>
<b>Domestic Violence</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Dating Violence</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Stalking</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0

<b>ARRESTS &amp; DISCIPLINARY REFERRALS REPORTING TABLE</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>
<b>Arrests: Weapons: Carrying, Possessing, etc.</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Disciplinary Referrals: Weapons: Carrying, Possessing, etc.</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Arrests: Drug Abuse Violations</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Disciplinary Referrals: Drug Abuse Violations</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Arrests: Liquor Law Violations</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0
<b>Disciplinary Referrals: Liquor Law Violations</b>	2024	0	0	0
	2023	0	0	0
	2022	0	0	0

**Hate Crimes:**

**2024: 0**

**2023: 0**

**2022: 0**

**Unfounded Statistics:**

**2024: 0**

**2023: 0**

**2022: 0**

**\*WCTC does not have residential facilities**

***Wisconsin Sexual Assault Data***

Most recent information on the number of reported sexual assaults for the state of Wisconsin are located at the following web link: [Wisconsin Uniform Crime Reporting \(UCR\) Data Dashboard Center](#).

## **PRIVACY OF RECORDS-RELEASE OF WRITTEN INFORMATION**

The Waukesha County Technical College policy on record privacy and releasing information follows the directives outlined in the Family Education Rights and Privacy Act (FERPA), the federal law governing the protection of written educational records. Registered students will be notified of this policy annually.

Only the student may authorize the release of their personal identifiable information in an education record. All such authorizations must be in writing. A fee will be assessed for copying all or a portion of a student record.

### ***Notification***

Students and stakeholders can find this policy via the College's website or may obtain a copy of the policy from the WCTC Enrollment Center.

### ***Student Rights under FERPA***

1. Students have a right to inspect and review their own educational records. The student must submit a signed, written request to the Registrar that identifies the record(s) they wish to inspect. The Registrar will make arrangements for access within 45 days and notify the student when and where the records may be inspected. Before being allowed to view the record, the student must present official photo identification.
2. Students have a right to request the amendment of educational records that they believe are inaccurate or misleading. The student must present a written request to the Registrar, clearly identifying the part of the record they want changed, and specify why it is inaccurate or misleading.
3. If the Registrar denies the request to amend the record, the Registrar will notify the student and advise them of the right to appeal the decision using the Student Complaint Procedure.
4. Students have a right to grant written consent to disclosures of personally identifiable information contained in their own education record; FERPA authorizes some disclosures without consent.
5. A record of disclosures will be maintained within a student's file indicating when information has been released from that file and to whom, except for disclosures for legitimate educational interest. Students will not be notified of legally restricted disclosures or disclosures for legitimate educational interest.
6. Students have the right to restrict the disclosure of *Directory Information*. To restrict the disclosure of *Directory Information*, a student must file a written request with the Registrar. This request to restrict disclosure of *Directory Information* will be honored until the student notifies the Registrar, in writing, to the contrary (see section on Directory Information below).
7. Students have a right to file a complaint with the U.S. Department of Education concerning alleged failures of the College to comply with requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education 400 Maryland Avenue, SW  
Washington, D.C. 20202-8520 33

### ***Exceptions under FERPA***

Under certain conditions, information can be released without student consent. These exceptions include:

### ***Directory Information***

The use of the term *Directory Information* does not mean that the College actually has a document containing Student Directory Information, or that the College has no obligation to produce such a

document. The term *Directory Information* is a legal term applying to information that the College can release, without student consent, to any third party. The College has defined *Directory Information* as the following:

- Name
- Date of birth
- Program of study
- Dates of attendance
- Current enrollment status (full-time/part-time)
- Degree status and date conferred
- Honors and awards
- Most recent educational institution attended

### **U.S. Military**

According to federal law, the College must release the student's name, address, phone number, date of birth, and field of study to the U.S. Armed Forces.

### **Authorized Federal, State, and Local Authorities**

Student authorization is not required if the Registrar is asked to disclose information to an authorized representative of the following individuals or entities:

- The Comptroller General of the United States
- The Secretary of the U.S. Department of Education
- State educational authorities
- Any party legitimately connected with a student's application for, or receipt of, financial aid
- Accrediting organizations
- Agencies involving an audit or evaluation of compliance with education programs
- Organizations conducting studies for or on behalf of educational institutions

### **Other Educational Institutions**

Information can be released to other schools to which a student seeks or intends to enroll.

### **Emergency Situations**

Information can be released to law enforcement personnel, emergency personnel, and College officials in an emergency in order to protect the health or safety of students or other persons.

### **Legitimate Educational Interest**

Officials of the College who have a legitimate educational interest may have access to student records without obtaining consent from the student.

Officials of the College are defined as:

- persons employed by the College in an administrative, supervisory, academic, research, or support staff position,
- persons serving on College governing bodies, and
- persons employed by or under contract to the College to perform a specific task, such as an attorney or auditor.

An official has a legitimate educational interest if they need to:

- perform duties specified in their job description or under terms of contractual agreement;
- provide campus services related to a student, such as advising, financial aid, and counseling;

- perform tasks related to a student's education, campus discipline or security.

### **Judicial Order**

Information must be released to comply with a judicial order or lawfully issued subpoena. Unless the court (or other issuing agency) has ordered that the existence or the contents of the subpoena or judicial order not be disclosed, the College will make a reasonable effort to notify the student before complying so the student may seek protective action.

### **Grievance Hearing**

Information about a student or students involved in a conduct investigation may be released to members of the Board of Review committee, including any students assigned to that committee, if such information applies to the investigation.

### **Disciplinary Hearing**

The results of a disciplinary hearing may be released to an alleged reporting party of a crime of violence without the permission of the accused.

### **U.S. Patriot Act**

The College must release, without consent or knowledge of the student, personally identifiable information from the student's education record to the Attorney General of the United States or designee in connection with the investigation or prosecution of terrorism crimes specified in sections 233b(g)(5)(B) and 2331 of Title 18, U.S. Code.

### **Written Release**

Personnel employed by the College who have consent in the form of a written release of information signed by the student, may disclose student information to appropriate outside agencies or persons.