

WAUKESHA COUNTY TECHNICAL COLLEGE

ADMINISTRATIVE POLICY - HUMAN RESOURCES EQUAL OPPORTUNITY, SEXUAL MISCONDUCT, HARASSMENT, AND DISCRIMINATION HUM-601

The Director, Compliance & Equity serves as the Title IX Coordinator and oversees implementation of WCTC's policies and process of equal opportunity, harassment and nondiscrimination. The Director, Compliance & Equity chairs the Title IX Committee, and acts with independence and authority free of conflicts of interest. To raise a concern involving the Director, Compliance & Equity, contact the Vice President of Human Resource Services or the Vice President for Student Services. To raise a concern involving the Vice President of Human Resource Services or the Vice President for Student Services, contact the WCTC President. To raise concerns with other administrators, contact the Director, Compliance & Equity.

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

Director, Compliance & Equity/Title IX Coordinator
C-217D
262-695-3481
compliance@wctc.edu

Deputy Title IX Coordinators

Manager, Student Development (Students)
C-121
262-691-5295

Director, Talent Operations (Employees)
C-217G
262-691-5570

Inquiries may be made externally to:

Office for Civil Rights (OCR)
U.S Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline: 1-800-421-3481
Fax: 202-453-6012
TDD: 877-521-2172
E-mail: OCR@ed.gov
Website: <http://www.ed.gov/ocr>

Local inquiries can be made to:

Equal Employment Opportunity Commission (EEOC)
Contact: <http://www.eeoc.gov>
Reuss Federal Plaza
310 West Wisconsin Avenue, Suite 500
Milwaukee, WI 53203-2292
Phone: 1-800-669-4000
Fax: 414-297-4133
TTY: 1-800-669-6820
ASL Video Phone: 844-234-5122

Wisconsin Department of Workforce Development
Division of Equal Rights
Contact : erinfo@dwd.wisconsin.gov

819 N 6th Street
Room 723
Milwaukee, WI 53203
Phone: 414-227-4384
Fax: 414-227-4084
TTY: 414-227-4081

Jurisdiction:

This policy applies to behaviors that take place on any WCTC campus, at WCTC sponsored events, and at WCTC supervised programs or functions. WCTC may also take appropriate actions against individuals for conduct occurring in other settings, including off-campus, if the Director, Compliance & Equity determines that the conduct affects a substantial WCTC interest. A substantial WCTC interest is defined to include:

- Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state or federal law;
- Any situation where it appears that the responding party may present a danger, or threat to the health or safety of self or others;
- Any situation that significantly impinges upon the rights, property, or achievements of self or others, or significantly breaches the peace and/or causes social disorder;
- Any situation that is detrimental to the educational or workplace interests of WCTC.

Any online postings, or other electronic communication by students or employees, including cyber-bullying, cyber-stalking, cyber-harassment, etc. occurring completely outside of WCTC’s control (e.g. not on WCTC’s networks, websites, or between e-mail accounts) will only be subject to this policy when those online behaviors can be shown to cause a substantial on-campus disruption.

Off-campus discriminatory or harassing speech by employees may be regulated by WCTC only when such speech is made in an employee’s official or work-related capacity.

1. Statement on Equal Employment Opportunity

The College will provide equal opportunity in all of its employment practices to all persons without unlawful discrimination on the basis of political affiliation, age, race, color, national origin, ancestry, citizenship, genetic information, religion, disability, sex, sexual orientation, gender identity, gender expression, marital status, parental status, pregnancy, arrest or conviction record, membership in any reserve component of the armed forces, or use or non-use of lawful products off College premises during nonworking hours, or any other status protected by applicable state or federal law.

Statement on Equal Educational Opportunity

The College will provide equal educational opportunities to all students and applicants for admission without unlawful discrimination on the basis of political affiliation, age, race, color, national origin, ancestry, citizenship, genetic information, religion, disability, sex, sexual orientation, gender identity, gender expression, marital status, parental status, pregnancy, membership in any reserve component of the armed forces, or any other status protected by applicable state or federal law. This concept of equal educational opportunity serves as a guide for the District Board and the staff in making decisions relating to selection of educational equipment, materials and regulations affecting students and College facilities. The lack of English-speaking skills is not a barrier for admission to the College or its programs.

2. Statement Prohibiting Discrimination and Harassment

It is the policy of the College to maintain an academic and work environment free of illegal discrimination or harassment for students, faculty and staff. Discrimination and harassment are contrary to the standards of the College’s community; they diminish individual dignity and impede equal employment and educational opportunities. Thus, the College prohibits discrimination or harassment based on political affiliation, age, race, color, national origin, ancestry, citizenship, genetic information, religion, disability, sex, sexual orientation, gender identity, gender expression, marital status, parental status, pregnancy, membership in any reserve component of the armed forces, or any other status protected by applicable state or federal law.

No employee or student of the College should have to tolerate discrimination or harassment from any vendor or other person doing business with the College or others with whom they come in contact during the course of the College's functions. The College is committed to taking appropriate action, to the extent practical, to protect and assist each person from discrimination or harassment by vendors or third parties.

Discrimination and harassment are defined to include verbal and/or physical conduct that is based upon a protected status that:

- Adversely affects a term or condition of an individual's employment, education, or participation in a College activity;
- Is used as the basis for a factor in decisions affecting that individual's employment, education, or participation in a College activity; or
- Has the purpose or effect of unreasonably interfering with an individual's employment or education performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's employment, education, or participation in a College activity.

Sexual harassment is unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or educational status;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting the individual; or
- 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.

Discrimination and harassment can arise from a broad range of physical or verbal behavior (by employees, students, outside contractors or other individuals), which can include, but is not limited to, the following:

- Physical or mental abuse;
- Racial, ethnic or religious insults or slurs;
- Unwelcome sexual advances or touching;
- Sexual comments, jokes, stories or innuendos;
- Requests for sexual favors used as a condition of employment or academic progress;
- Display of sexually explicit or otherwise offensive posters, calendars or materials;
- Referring to another employee/student as girl or boy, hunk, doll, babe or honey;
- Making sexual gestures with hands or body movements;
- Intentionally standing close or brushing up against another employee/student;
- Inappropriately staring at another employee/student or touching his/her clothing, hair or body;
- Whistling at another employee/student, cat calls;
- Asking personal questions about another employee's/student's sexual life;
- Repeatedly asking out an employee/student who has stated that he/she is not interested;
- Looking another employee/student up and down (elevator eyes); or
- Sexual violence, including rape, sexual assault, sexual battery, and sexual coercion.

This is a serious issue not just for the College, but also for each individual. An employee or supervisor may be held individually liable as a harasser, subject to the same penalties which may be imposed upon employers under state and federal law, and will be subject to discipline, up to and including termination. Students may be subject to claims by fellow students or staff for their conduct, as well as subject to College discipline, including expulsion or suspension. It is the responsibility of administration, supervisors, employees and all students to ensure that these

prohibited activities do not occur. Further, any individual who retaliates against another individual because he or she made a report of harassment or participated in an investigation of a claim of harassment, is subject to immediate discipline, up to and including suspension or expulsion.

It is suggested that, if the individual is comfortable doing so, he or she first speak to the person who has engaged in the inappropriate behavior. Explain that the conduct is unwelcome. If the result is not satisfactory or if the individual is not comfortable speaking to the person who has engaged in the inappropriate conduct directly, he or she should notify one of the appropriate people listed above as soon as possible. It is important to inform College officials about the inappropriate conduct as soon as possible to expedite a remedy to the problem. Please retain any notes, letters or other written material that relate to the complaint.

3. Statement on Sexual Misconduct, Sexual Exploitation, Force and Consent

Sexual misconduct incorporates a wide range of behaviors including sexual assault, sexual harassment, dating/intimate partner violence, stalking, and any other conduct of a sexual nature that is nonconsensual or has the purpose or effect of threatening, intimidating, or coercing another person. These terms are further defined as follows:

- Sexual Assault: Sexual assault includes: (1) nonconsensual sexual intercourse; (2) nonconsensual sexual contact involving the sexual touching of an intimate body part (i.e., the genitals, breast, anus, groin, or buttocks of another person) or the nonconsensual sexual touching of another with one's own genitals whether directly or through clothing; or (3) exposing one's genitals to another under circumstances in which he or she should reasonably know that his or her conduct is likely to cause affront or alarm.
- Sexual Harassment: Sexual harassment is defined as:
 - Unwelcome sexual advances or requests for sexual activity by a person or persons in a position of power or authority to another person, or
 - Other unwelcome verbal or physical conduct of a sexual nature when:
 - Submission to or rejection of such conduct is used explicitly or implicitly as a condition for academic or employment decisions; or
 - Such conduct creates a hostile environment by being sufficiently severe or pervasive and objectively offensive such that it interferes with, limits, or denies the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits, or opportunities.
- Dating/Intimate Partner Violence: Violence committed by a person who is or has been in a romantic or intimate relationship with the recipient of the violent behavior.
- Stalking: Stalking is defined as follows:
 - Either a course of conduct directed at a specific person on the basis of actual or perceived membership in a protected class that is unwelcome *and* would cause a reasonable person to feel fear; or
 - Repetitive and menacing pursuit, following, harassing and/or interfering with the peace and/or safety of another.
- Sexual Exploitation: Sexual Exploitation refers to a situation in which a person takes nonconsensual or abusive sexual advantage of another person for his/her own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited and which behavior does not constitute any other form of sexual misconduct. Examples of sexual exploitation include, but are not limited to:
 - Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed);
 - Invasion of sexual privacy;

- Taking pictures or videos or audio recordings of another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent);
- Prostitution;
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV), a sexually transmitted disease (STD) or infection (STI) without informing the other person of the infection; and
- Administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent (assuming the act is not completed).

WCTC seeks to create and maintain a campus free from incidences of sexual misconduct through education, programming, training for students and staff, clear policies, and consistent sanctions for any violation of these policies. The College's Director, Compliance & Equity, supported by a cross-functional committee, assist in ensuring compliance. The Office of Human Resources, along with the Office of Student Development, provides trained investigators to address any reported issues of sexual misconduct involving staff and/or students.

Resources exist both on and off campus for students seeking support after experiencing an incident of sexual misconduct. Students may wish to report the sexual misconduct immediately to authorities, seek off-campus options for medical treatment, or simply talk with someone. Students should be aware that WCTC faculty and staff may be subject to various mandatory reporting laws.

Off-Campus

- If you are not safe or if you need immediate help, 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 victims 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

- If you are not safe or if you need immediate help, call **911**.
- While on campus, 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.
- At the Student Development Office (C-121), students may speak to staff 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 polices and resources, visit www.wctc.edu/sexual-misconduct.

Force and Consent

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 ("Have sex with me or I'll hit you." "Okay, don't hit me, I'll do what you want.").

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.

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.

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 responding party was intoxicated and, therefore, did not realize the incapacity of the reporting party. 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 this 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 this policy, even if the minor wanted to engage in the act.

Federal Timely Warning Obligations

Parties reporting sexual misconduct should be aware that under the Clery Act, WCTC administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm, or danger to members of the campus community. WCTC will ensure that a victim’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

4. Other Offenses

In addition to the forms of discrimination, harassment, and sexual misconduct described above, the following behaviors are also prohibited as forms of discrimination when the act is based upon the reporting party’s actual or perceived membership in a protected class.

- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;

- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity; and
- Bullying, defined as repeated and/or severe aggressive behavior that is likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally, and that is not speech or conduct otherwise protected by the 1st Amendment.

5. Statement on Accommodation of Disabilities (Students)

The College strives to assure that no qualified person with a disability shall, solely by reason of that disability, be denied access to, participation in, or the benefits of any program or activity operated by WCTC. Each such qualified person shall receive reasonable accommodations to provide equally effective access to education opportunities, programs, and activities unless provision of such an accommodation would constitute an undue hardship on the College, would substantially alter the essential elements of the academic program or course of study, or would otherwise compromise academic standards.

Students seeking disability-related accommodations should contact the Coordinator of Student Accessibility and/or Disability/Transition Specialists. Students requesting disability-related accommodations may be required to provide current and adequate documentation of their disability. The Coordinator of Student Accessibility or Disability/Transition Specialist will review the disability documentation and need for requested accommodation(s) and determine what, if any, reasonable accommodations the College can provide. Please be aware that some auxiliary aids may take up to a semester to plan for.

Transition Services are provided by WCTC's Coordinator of Student Accessibility and Disability/Transition Specialists. The purpose is to assist high school students with disabilities that are considering or have decided to come to WCTC. Services provided include vocational counseling, campus orientation, assistance with the application process, registration, and assistance with campus support services.

Statement on Accommodation of Disabilities (Employees)

The College is committed to complying fully with applicable federal, state, and local laws by ensuring equal opportunity in employment for qualified persons with disabilities. The College prohibits discrimination against any qualified employees or applicants because they are related to or associated with a person with a disability.

In accordance with these laws, the College will provide reasonable accommodations to qualified individuals with disabilities so that they may perform the essential functions of their jobs, unless doing so would impose an undue hardship on the College. Any qualified individual with a disability may make a request for reasonable accommodation to the HR Department. Employees requesting disability-related accommodations may be required to provide current and adequate documentation of their disability. The HR Department will review the disability documentation and need for requested accommodation(s) and determine what, if any, reasonable accommodations the College can provide. Cooperation is expected in the event any employee is asked to assist in the accommodation afforded another employee under this policy.

6. Statement on Affirmative Action

WCTC will take affirmative action to ensure that all individuals have equal employment and educational opportunities.

While the development and monitoring of the affirmative action program is primarily the responsibility of the Affirmative Action Officer (Director, Compliance & Equity), the support of every employee, student and recipient of College services is required to assure an environment

conducive to the success of the program.

7. Statement on Reporting Relationships-Employment of Relatives

The College may employ qualified relatives of other employees, but will not do so if a supervisory/employee reporting relationship is required.

8. Statement on Employee-Student Relationships

The integrity of the employee-student relationship is at the core of the foundation of the College's educational mission. This relationship requires considerable trust in the employee, who, by virtue of their position, carries significant authority and accountability as an educator, evaluator, and mentor. The unequal power dynamic in this relationship requires the employee to maintain professional boundaries to avoid unprofessional or unethical behavior (or even the appearance of unethical behavior), and to limit the possibility for coercion. The relationship between employee and student must be free from influences or activities that can interfere with learning, or the goals and principles of the College. Whenever an employee is responsible for academic or other supervision of a student, a personal relationship between them of a romantic or sexual nature, even if consensual, is entirely inappropriate and therefore prohibited. Such personal relationships can lead to legal liability for the employee and the College. Even if not of a romantic or sexual nature, other types of relationships (friendships, familial, business) that actually interfere with the objectivity of the employee also threaten the integrity of the educational process.

9. Statement on Employee-Employee Relationships

Consensual relationships are defined as romantic and/or sexual relationships between consenting adults within the College community. If a relationship involves individuals where there is an unequal power dynamic (e.g., supervisor-employee) there exists the potential for a conflict of interest, interference with the learning or work environment, actual or perceived bias, abuse of power and legal liability for the employee and the College. Such relationships also have the potential to undermine the integrity of the educational process, mutual trust, and professionalism.

Employees must promptly notify their supervisors and the Vice President of Human Resource Services (VP of HR), if they enter into any consensual relationship or have a pre-existing consensual relationship where they have supervision/evaluation over another individual. Failure to promptly report the consensual relationship may lead to disciplinary action, up to and including termination from employment. Where possible, the College will work with the employees concerned to assist in removing the potential conflict of interest through transferring or altering the supervisory or evaluative relationship.

10. Statement on Retaliation

Retaliation is defined as any adverse action taken against a person because he or she engaged in protected activity. Retaliation against an individual for alleging discrimination, harassment, or sexual misconduct or for filing, testifying, assisting, or participating in any investigation or proceeding involving such allegations is a serious violation of WCTC policy. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. WCTC is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

Examples of Retaliation:

- A faculty member complains of gender inequity in pay within her department; the Department Chair then revokes his prior approval allowing her to attend a national conference, citing the faculty member's tendency to "ruffle feathers."
- A student from Organization A participates in a sexual misconduct hearing against the responding individual – also a member of Organization A; the student is subsequently removed as a member of Organization A because he participated in the hearing.

11. Statement on Confidentiality and Reporting of Offenses

Except as noted herein, all WCTC employees are expected to report actual or suspected discrimination, harassment, sexual misconduct, and retaliation to appropriate officials immediately. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may

maintain confidentiality – meaning they are not required to report actual or suspected discrimination, harassment, sexual misconduct, or retaliation to appropriate College officials – thereby offering options and advice without any obligation to inform an outside agency or campus official unless a reporting party has requested information to be shared. The following describes the reporting options at WCTC:

Confidential Reporting

If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

- On-campus licensed professional counselors and staff
- Off-campus (non-employees):
 - Licensed professional counselors
 - Local rape crisis counselors
 - Domestic violence resources
 - Local or state assistance agencies
 - Clergy/Chaplains
 - Employee Assistance Program (employees and work study students only)

Campus counselors and the Employee Assistance Program are available to help free of charge and can be seen on an emergency basis during normal business hours. WCTC employees listed above will submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client or patient.

Formal Reporting Options

All WCTC employees have a duty to report, unless they fall under the “Confidential Reporting” section above. Employees must promptly share all details of the reports they receive with the Title IX Coordinator. Generally, climate surveys, classroom writing assignments or discussions, human subjects research, or events such as *Take Back the Night* marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the reporting party clearly indicates that they wish a report to be made.

If a reporting party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want to pursue a formal resolution, the reporting party 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. WCTC retains the right to conduct an investigation regarding allegations of discrimination, harassment, sexual misconduct, or retaliation even if the reporting party indicates they do not wish for an investigation to take place. Note that WCTC’s ability to remedy and respond to a reported incident may be limited if the reporting party does not wish for their name to be shared or does not want to pursue a formal resolution.

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told, including but not limited to: Director, Compliance & Equity, Deputy Title IX Coordinators, Vice President for Student Services, Vice President for Human Resource Services, Behavioral Intervention Team, and Campus Security. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party’s rights and privacy. Additionally, anonymous reports can be made by victims and/or third parties using the online reporting form posted at https://cm.maxient.com/reportingform.php?WaukeshaCTC&layout_id=6. Note that these anonymous reports may prompt a need for the institution to investigate.

Failure of a non-confidential employee, as described in this section, to report an incident or incidents of discrimination, harassment, sexual misconduct, or retaliation of which they become aware is a violation of WCTC policy which may result in disciplinary action, up to and including discharge.

12. False Allegations

Deliberately false and/or malicious allegations or reports under this policy, as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action, up to and including expulsion or discharge.

13. Amnesty

For Victims:

The Student Development and Human Resource Services Offices, in their sole discretion may provide amnesty to victims who may be hesitant to report to WCTC officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. In this situation, an alternative outcome may be that educational options will be explored.

For Those Who Offer Assistance:

To encourage students to offer help and assistance to others, WCTC pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Manager, Student Development, amnesty may also be extended on a case-by-case basis to the person receiving assistance. In this situation, an alternative outcome may be that educational options will be explored.

For Those Who Report Serious Violations:

In their sole discretion, the Student Development and Human Resource Services Offices may offer amnesty to students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of WCTC. In this situation, an alternative outcome may be that educational options will be explored.

Abuse of amnesty requests by any person may result in a decision by the Manager, Student Development not to extend amnesty to that person repeatedly.

Safe Harbor:

WCTC has a Safe Harbor rule for students. WCTC believes that students who have a drug and/or addiction problem deserve help. If any WCTC student brings their own use, addiction, or dependency to the attention of WCTC officials, outside the threat of drug tests or conduct sanctions, and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct proceedings will be initiated. This Safe Harbor rule shall not prevent WCTC from investigating complaints of discrimination, harassment, or sexual misconduct brought against a student and issuing disciplinary action based on the results of that investigation.

14. Parental Notification

WCTC reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. WCTC may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by Federal Education Rights and Privacy Act (FERPA) or consent of the student.

See Board Policy 3.3 Staff Treatment

See Wisconsin Statutes 38.23

See Wisconsin Administrative Code Chapter TCS 6

See Administrative Procedure – Human Resources HUM-601-01 Equal Opportunities, Sexual Misconduct, Harassment, and Discrimination

See Administrative Policy – Student STU-400 Student Rights

See Administrative Policy – Student STU-500 Accommodation of Student Religious Beliefs

See Administrative Procedure – STU 500-01 Accommodation of Student Religious Beliefs

See Administrative Policy – Student STU-601 Equal Opportunities, Sexual Misconduct, Harassment, and Discrimination
See Administrative Procedure – STU-601-01 Equal Opportunities, Sexual Misconduct, Harassment, and Discrimination

Policy owner: Vice President, Human Resource Services

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