



University of Wisconsin
Whitewater

Annual Security and Fire Safety Report

Whitewater and Rock County Campuses

December 2020

Copy available by request or at police.uww.edu

From the Chief

As the Chief of Police at the University of Wisconsin-Whitewater, I am proud to serve, assist and protect our students, staff, faculty and community. Our commitment to the safety of our campus community is absolute, we seek to prevent incidents before they occur through the development of relationships and trust within our community, by educating our population on how to assist themselves and providing opportunities to change behaviors before larger concerns develop. When crime does occur, we provide skilled investigation, compassionate assistance and a desire to help heal the mental, emotional and physical



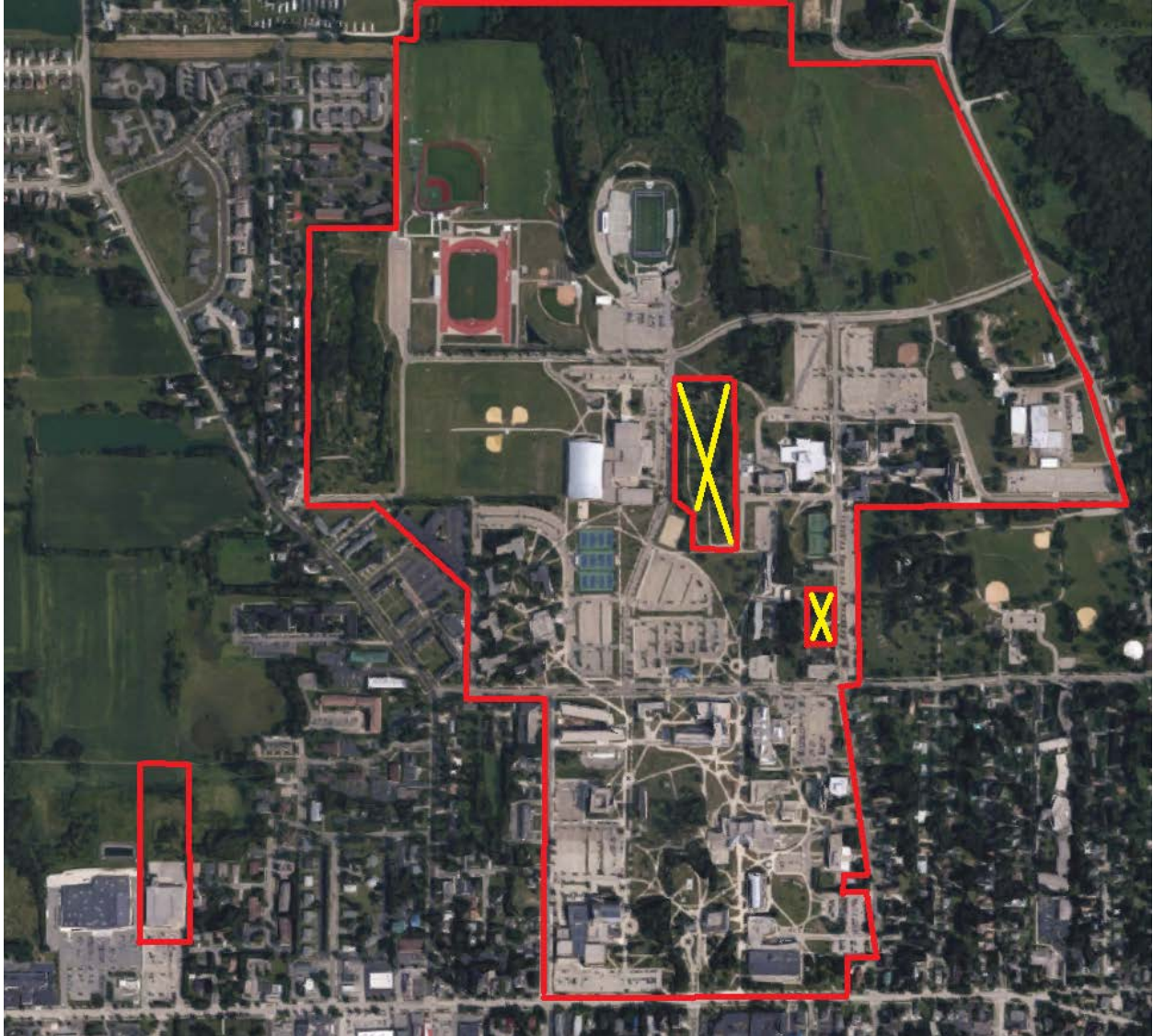
concerns of victims. We encourage reporting of all criminal incidents regardless of their perceived magnitude as you never know when you can be the key to unlocking a larger mystery.

The Annual Security and Fire Safety Report (“ASR”) serves to provide you with factual information not only about relevant statistics, but the multitude of safety-related services available on campus, information on emergency messaging and emergency preparedness, and key policies and procedures. We hope the information provided here can assist you in having a positive, productive and enjoyable tenure here. If you have any questions, comments or concerns, please never hesitate to reach out for assistance, if you need help, we will figure out how to provide it.

A handwritten signature in black ink, appearing to read "Matt Kiederlen". The signature is stylized with large loops and a horizontal line underneath.

Chief Matt Kiederlen
Kiederlm@uww.edu
262-472-4660

UW-Whitewater On-Campus Geography Map



UW-Whitewater Rock County On-Campus Geography Map



Resources at a Glance.....	1
UW-Whitewater Annual Security Report & Policy Statement.....	4
Campus Crime Statistics Charts.....	12
Preventing and Responding to Sexual Assault, Domestic Violence, Dating Violence and Stalking.....	15
Definitions (Appendix A).....	20
State Statute Related to Sexual Assault.....	22
Bystander Intervention.....	24
Risk Reduction.....	24
Reporting Options for Victims/Survivors.....	25
Services Available to Victims/Survivors.....	26
Sexual Assault, Dating Violence, Domestic Violence, and Stalking Disciplinary Procedures for Student Perpetrators.....	26
Institutional Procedures for Employees in Cases of Alleged Sexual Assault, Dating Violence, Domestic Violence, and Stalking by Faculty, and University Staff.....	30
Statement of Policy.....	32
University of Wisconsin-Whitewater Investigation Process.....	38
Sexual Assault Education and Prevention Activities for Students.....	38
Annual and Ongoing Prevention and Awareness Programs.....	38
Ways to Reduce the Risk of Being Sexually Assaulted.....	41
Ways to Avoid Being Accused of Sexual Assault.....	41
Alcohol and Other Drug Intervention.....	42
Effects of Alcohol and Other Drug Abuse.....	42
University Standards of Conduct and Sanctions.....	43
Legal Penalties and Sanctions.....	44
Alcohol and Drug Education and Prevention Activities.....	49
Procedures for Reporting a Missing Student.....	57
UW-Whitewater Annual Fire Safety Report.....	58

Resources at a Glance

The *Resources at a Glance* section is intended to provide you with a quick reference guide to generally utilized services both on and off campus and to help find a starting point for most issue potentially encountered during the college years.

Other campus numbers can be found through the UW-Whitewater Directory Search page located at <http://wp.uww.edu/>.

Safety and Security

UW-Whitewater Police Department

Emergency 911
Non-Emergency/Business 262-472-4660
Goodhue Hall
790 W Starin Road
Whitewater WI 53190
police@uww.edu

City of Whitewater Police Department

Emergency 911
Non-Emergency/Business 262-473-0555
312 W Whitewater Street
Whitewater WI 53190
police@whitewater-wi.gov
www.whitewater-wi.gov/department/police

Walworth County Sheriff's Office

Emergency 911
Non-Emergency/Business 262-741-4400
1770 County Rd NN
Elkhorn WI 53121
www.co.walworth.wi.us/Sheriffs%20Office/Sheriff/

Jefferson County Sheriff's Office

Emergency 911
Non-Emergency/Business 920-674-7310
411 S Center Ave
Jefferson WI 53549
www.jeffersoncountywi.gov/departments/departments_s-z/departments/sheriff.php

Rock County Sheriff's Office

Emergency 911
Non-Emergency/Business 608-757-8000
200 US-14
Janesville, WI 53545
<http://www.co.rock.wi.us/sheriff>

Campus Offices

Dean of Students Office

262-472-1533
750 W Main Street
Anderson Library L2100
Whitewater WI 53190
www.uww.edu/dean-of-students/

Human Resources and Diversity

262-472-1024
Hyer Hall Room 330
800 W Main Street
Whitewater WI 53190
www.uww.edu/adminaffairs/hr/

University Housing

262-472-4255
Goodhue Hall Floor 200
790 W Starin Road
Whitewater WI 53190
housing@uww.edu
www.uww.edu/housing

Visitor and Parking Services

262-472-1011
826 Starin Road
Whitewater WI 53190
parking@uww.edu
www.uww.edu/adminaffairs/parking

Campus Offices

Environmental Health, Risk Management, Safety & Loss Control

262-472-1856
Hyer Hall 330
800 W Main Street
Whitewater WI 53190
riskmgmt@uww.edu
www.uww.edu/adminaffairs/riskmanagement

Financial Aid Office

262-472-1130
Hyer Hall Room 130
800 West Main Street
Whitewater WI 53190
uwwfao@uww.edu
www.uww.edu/financialaid

Center for Global Education

262-472-5759
Hyland Hall Suite 1227
809 West Starin Road
Whitewater, WI 53190
international@uww.edu
www.uww.edu/international

Title IX Contact

Title IX Coordinator

Vicki Schreiber
262-472-1024
Hyer Hall Room 330
800 W Main Street
Whitewater WI 53190
www.uww.edu/sexual-misconduct-information

Dean of Students Office

Deputy Title IX Coordinator
Elizabeth Watson
262-472-1533
750 W Main Street
Anderson Library L2100
Whitewater WI 53190
www.uww.edu/dean-of-students/

UW-Whitewater Police Department

Deputy Title IX Coordinator
Chief Matt Kiederlen
262-472-4660
Goodhue Hall
790 W Starin Road
Whitewater WI 53190
police.uww.edu

Sexual Assault, Domestic Violence, Dating Violence and Stalking Survivor Resources

PAVE

920-390-4206
POB 561
Beaver Dam, WI 53916
pave@pavedc.org
www.pavedc.org

New Beginnings - Association for the Prevention of Family Violence (APFV)

262-723-4653
143 W. Main St.
Whitewater, WI 53190
www.co.walworth.wi.us/Health%20and%20Human%20Services/Intervention/apfv.aspx

Sexual Assault, Domestic Violence, Dating
Violence and Stalking Survivor Resources

Wisconsin Coalition Against Sexual Abuse

608-257-1516
2801 West Beltline Highway
Suite 202
Madison WI 53713
wcasa@wcasa.org
www.wcasa.org

Health Services

University Health and Counseling Services

262-472-1300
Ambrose Health Center
710 Starin Road
Whitewater WI 53190
uhcs@uww.edu
www.uww.edu/uhcs

Fort Health Care

920-568-5000
611 Sherman Avenue East
Fort Atkinson WI 53538
www.forthhealthcare.com

St. Mary's Hospital

608-373-8000
3400 E. Racine Street
Janesville WI 53546
www.stmarysjanesville.com/Pages/default.aspx

Mercy Hospital and Trauma Center

608-756-6000
1000 Mineral Point Ave #7
Janesville WI 53548
mercyhealthsystem.org/location/mercy-hospital-
and-trauma-center/

Aurora Lakeland Medical Center

262-741-2000
W3985 County Rd NN
Elkhorn, WI 53121
<https://www.aurorahealthcare.org/locations/hospital/aurora-lakeland-medical-center>

Mental Health and Substance Abuse
Resources

**Walworth County Department of Health and
Human Services**

800-365-1587
262-741-3200
W4051 County Road NN
P.O. Box 1005
Elkhorn WI 53121
[www.co.walworth.wi.us/Health%20and%20Human%
20Services/Mental%20Health/mental-health-
home.aspx](http://www.co.walworth.wi.us/Health%20and%20Human%20Services/Mental%20Health/mental-health-home.aspx)

Jefferson County Human Services

888-794-5780
920-674-3105
1541 Annex Road
Jefferson WI 53549
[www.jeffersoncountywi.gov/departments/departme
nts_f-r/departments/human_services.php](http://www.jeffersoncountywi.gov/departments/departments_f-r/departments/human_services.php)

Rock County Human Services Department

608-757-5200
3530 N County Rd F
Janesville, WI 53545
<http://www.co.rock.wi.us/hsd>

UW-Whitewater Annual Security Report & Policy Statement

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires the distribution of an Annual Security Report to all current faculty, staff, and students and notice of its availability to prospective students, faculty, and staff. This document is one of many mechanisms designed to inform current and potential UW-Whitewater community members of crime, arrest and referral statistics, of current crime response, reporting, prevention and awareness policies, including policies regarding sexual assault, domestic violence, dating violence and stalking, of campus disciplinary policies and relevant state laws, and of campus safety and security. This Annual Security and Fire Safety Report (ASR) includes crime, arrest, and referral statistics for the previous three calendar years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by the University of Wisconsin–Whitewater, and on public property within, or immediately adjacent to and accessible from, the campus. The Fire Report at the end the document contains UW-Whitewater Housing fire safety protocols and fire statistics for the previous three calendar years.

This report is prepared by the University of Wisconsin-Whitewater Police Department (UWWPD). To gather policies for this report, UWWPD collaborated with University Housing, University Health and Counseling Services, Athletics, Human Resources and Diversity, Dean of Students Office and other divisions and departments on campus.

Statistics are gathered through reports to the University of Wisconsin-Whitewater Police Department (UWWPD), the Dean of Students Office, University Housing, Human Resource and Diversity, Athletics and other Campus Security Authorities. UWWPD also requests crime statistics from outside law enforcement agencies that may have jurisdiction over UW-Whitewater’s non-campus property. UWWPD and the Dean of Students Office collaborate in compiling the crime, arrest and referral statistics to ensure statistics are not missed or double counted. A copy of this report is disseminated to faculty, staff, and students in an e-mail sent in early October of each fall semester. Crimes are classified using the FBI Uniformed Crime Reporting Handbook, the National Incident Based Reporting System Handbook and The Handbook for Campus Safety and Security Reporting. Wisconsin law is used to define drug, liquor and weapons law violations, as well as incidents of domestic violence.

Reports of criminal actions or other emergencies occurring on the UW-Whitewater campus shall be made to the University Police Department. The University Police Department shall respond in accordance with established law enforcement procedures.

Access to and Security of University Buildings

Conduct on university property is governed by Chapters UWS 18 and UWS 21 Wisconsin Administrative Code and institutional policies on file in the Office of the Chancellor.

Academic and Administrative Buildings

Security is provided in the maintenance of the University's facilities through a number of mechanisms, including limitations on hours of operation, policies on keys, restricting access to those bearing proper identification as university staff or students, the provision of adequate lighting, key card access control, randomized patrol by Police and Campus Service Officers, and making available telephone call boxes for emergency assistance. Specific security mechanisms may vary with the type of university facility. Security precautions in place for the various types of facilities at UW-Whitewater are on file in respective campus offices. Administrative and academic building security policies are on file in the Office of the Director of Facilities Planning and Management, University Center policies in the University Center Facilities Management Office, and campus residence policies in the individual Residence Hall offices. For information about the access protocol for a specific building, see the building manager, a department head, or contact UWWPD at (262)472-4660.

Residence Halls

The Residence Halls are controlled by 24-hour key card access points. There are no Residence Hall on the UWW Rock County campus. Sworn Police randomly patrol all Residence Hall buildings, exterior common areas and parking lots, utilizing foot, bicycle and vehicle patrols. The University Police maintains sub-stations in the Wells Hall complex and Drumlin Dining Hall. They provide two (2) full-time officers who specifically engage the Residence Hall community to address its specific needs in programming, information dissemination, and the formulation of mutual trust. Housing staff also enforce security measures in the residence halls and work with residents to achieve a community respectful of individual and group rights and responsibilities. Housing Staff and UWSPD staff also conduct periodic educational sessions on prevention of various crimes, including sexual assault. Basic building security measures and expectations are regularly presented by Resident Assistants during floor meetings and additionally discussed by University Housing Staff, Police personnel, and various New Student Seminar classes.

Maintenance

University Police and Campus Service Officers perform weekly checks of Emergency Call Boxes, monthly checks of exterior lighting and random daily inspections of building security. University Police notify Facilities, Planning and Management to facilitate repairs. University Housing personnel routinely check for Residence Hall maintenance issues, such as non-functioning interior lighting, and submit for repair or replacement via their internal maintenance personnel or Facilities, Planning and Management.

University Police and Crime Reporting

In Accordance with 36.11(2), Wisconsin Statutes, UW-Whitewater University Police Department is staffed by sworn, armed police officers who meet the standards of the Wisconsin law enforcement standards board and have the authority to arrest and bring before the proper courts persons violating the law on university property. The University's police officers cooperate with local, county, state and federal law enforcement authorities in the exercise of their responsibilities as requested. The University of Wisconsin-Whitewater does not have formal Memorandums of Understanding with these agencies but does utilize the provision of Mutual Aid as outlined in Wisconsin Statute. According to Wisconsin Statute 66.0313(2), "Upon the request of any law enforcement agency, including county law enforcement agencies as provided in statute 59.28(2), the law enforcement personnel of any other law enforcement agency may assist the requesting agency within the latter's jurisdiction, notwithstanding any other jurisdictional provision. For purposes of Statute 895.35 and Statute 895.46, law enforcement personnel, while acting in response to a request for assistance, shall be deemed employees of the requesting agency."

The University Police are responsible for the overall safety and security of the UW-Whitewater campuses. This includes the campus geography and those streets immediately adjacent to the campus. The University Police actively patrol the campus jurisdiction through the use of foot, bicycle and vehicle patrol. The University Police enforce all applicable State and Federal laws, utilizing referral for University disciplinary action, warnings, diversion programs, citations, arrests and referral for prosecution to the appropriate agency. The University Police are supplemented by non-sworn Campus Service Officers (CSO), consisting of University students trained by the Police to provide patrol and safety measures to the students, staff and faculty. The CSOs assist with the patrol of parking lots, building checks, safety escorts and event monitoring. CSOs do not possess the authority to arrest, but can refer for violations of University policy and have direct radio communications with the University Police to provide directed and immediate response to incidents they may observe.

The University Police have a limited presence on the UWW Rock County campus. When officers are not physically present, minor reports can be taken over the phone. Other immediate or emergency response will be provided by the Rock County Sheriff's Office or other requested mutual aid through 911 or 608-757-8000.

Students, faculty, staff and visitors who are witness, victim or representing a victim who is unable to report a crime, are encouraged to promptly report all crimes or suspicious activities to the appropriate jurisdiction. Incidents which occur on UW-Whitewater property should be reported to the University Police. Incidents which are not of an emergency nature may be reported to University Police in person at the University Police Department located on the 1st floor of Goodhue Hall, by calling 262-472-4660 or emailing police@uww.edu (email response will be within

the next business day). Incidents of an emergency nature may be reported by dialing 911 from any campus or cell phone. Additionally, students, staff or faculty living in the City of Whitewater community can report in person at the City Police Department at 312 W. Whitewater, by calling 911 for emergencies or for non-emergency situations dial 262-473-0555. Victims of sexual assault who do not wish to report the crime to a law enforcement official or to the University are still highly encouraged to get help and support.

Alleged victims of crimes of violence, upon written request, can obtain the results of any University disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Although licensed health and counseling staff acting in that capacity do not report crimes as Campus Security Authorities, they will assist individuals in reporting a crime, should they decide they would like to. Counseling may, in situations of extreme concern or imminent threat, encourage individuals to report crimes. Licensed health and counseling staff are required to submit statistics to the Dean of Students on a yearly basis of any sexual assaults they have learned about in the last year under Wisconsin 36.11(22)(c), but do not include identifying information unless the student wishes to share it.

Crimes can generally be reported confidentially to the University Police to ensure their inclusion in the Annual Security and Fire Safety Report. Certain heinous crimes, such as Sexual Assault, Armed Robbery and others, may require the University to notify the community of the danger via Timely Warning or Emergency Notification, but the individual reporting the crime, will have their identity protected as allowed by law.

Emergency Warnings and Information

The University Police, in conjunction with the Office of University Marketing and Communications and the Vice Chancellor for Administrative Affairs, will release information and safety suggestions via timely warnings for significant crimes. The University Police staff will assess crimes and incidents reported to determine if a timely warning or emergency notification is necessary. Timely warnings are disseminated via email. All crimes reported to the University of Wisconsin-Whitewater Police department will be evaluated for inclusion in the campus annual security report statistics.

On the Main Campus, University Police are responsible for confirming an emergency and utilize various means to do so, such as: community reports, personal observation or environmental factors. Once confirmed, the determination is made of the potential effects or dangers to the campus community. University Police will determine whether notification will be sent to the entire campus or certain segments of the campus community. Factors considered will include, but are not limited to; the number of people potentially affected, location and type of emergency. Alerts, evacuations and notifications are then appropriately disseminated.

In the event the Police Department confirms an occurrence to be a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus, the Chief/Director of Police Department, Matt Kiederlen (262-472-4660) is responsible for ensuring the dissemination of emergency information to the University community and initiating the emergency notification process. Depending on the type of incident, initiation of the notification process may include, alerting first responders, use of fire alarm or public address systems, mass email, University Emergency Notification website, IP phones and InformaCast (see below for installation information). Personally identifying information or personal information of victims will be held confidential when providing warnings. This determination is made by evaluating information received from citizens, officers and other sources. Notification of incidents is the responsibility of Police Department. The University 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 professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Responsible authorities shall include Chief Matt Kiederlen, Media and Marketing Relations Director Sara Kuhl, Vice Chancellor for Administrative Affairs Grace Crickette, and their appropriate designee(s).

Dissemination of emergency information to the larger community is the joint responsibility of these staff and the Director of University Marketing and Communications, Sara Kuhl (262-472-1194). The dissemination of information

to the general public is primarily done through the University website and area media outlets. Additionally, the University and City Police share a joint dispatch center and the same radio frequency, events occurring on campus are immediately known to the surrounding community's emergency services. Individuals who may authorize dissemination of emergency information in the absence of the Chief or Director include:

Assistant Chief Matt Schwartz, University Police 262-472-4660

Lieutenant Jason Burt, University Police 262-472-4660

Lieutenant Kelsey Servi, University Police 262-472-4660

Jeff Angilera, Assistant Director, University Marketing and Communications, 262-472-1195

Nadia Bidwell, Project Manager, University Marketing and Communications, 262-472-1200

On the Rock County Campus, administrative personnel are responsible for confirming an emergency and utilize various means to do so, such as: community reports, personal observation or environmental factors. Once confirmed, the determination is made of the potential effects or dangers to the campus community. Personnel will determine whether notification will be sent to the entire campus or certain segments of the campus community. Factors considered will include, but are not limited to; the number of people potentially affected, location and type of emergency. Alerts, evacuations and notifications are then appropriately disseminated.

In the event administrative personnel confirms an occurrence to be a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus, the Associate Dean of SA & EM, Kristin Fillhouer (608-898-5040) is responsible for ensuring the dissemination of emergency information to the University community and initiating the emergency notification process. Depending on the type of incident, initiation of the notification process may include, alerting first responders, use of fire alarm or public address systems, mass email, University Emergency Notification website, IP phones and Rave system. Personally identifying information or personal information of victims will be held confidential when providing warnings. This determination is made by evaluating information received from citizens, officers and other sources. Notification of incidents is the responsibility of Police Department. The University 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 professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Responsible authorities shall include Associate Dean Kristin Fillhouer, Assistant to the Associate Dean Tonya Anderson, and their appropriate designee(s).

Dissemination of emergency information to the larger community is the joint responsibility of these staff and the Director of University Marketing and Communications, Sara Kuhl (262-472-1194). The dissemination of information to the general public is primarily done through the University website and area media outlets.

Required non-emergency notifications will be directed to the Chief of Police, Matt Kiederlen, for determination on distribution needs and will follow the Main campus protocols.

The most current emergency information is updated on the University website and distributed through campus email throughout any event. Information remains posted until the event is mitigated. Notifications are maintained in an electronic archive managed by Marketing and Media Services.

Evacuation

In the event of a required evacuation, individuals are first expected to self-evacuate. Individuals unable to self-evacuate should first make themselves as safe as possible and then contact 911 for further assistance. Information on safe directions of travel or areas to avoid will be disseminated through appropriate methods as described above.

InformaCast Application

InformaCast is a smart phone application designed to allow push messaging in emergency situations on campus. It is an available service and must be downloaded by the user. There is no charge to the user for this application. The application and registration process can be found at informacast.uww.edu. A valid UWW user ID and password are required.

Texting Notification System

Students, staff, faculty and others wishing to receive text messages should go to <https://my.uww.edu/alertinfo> to enroll. Family members may receive messages with the endorsement of a currently enrolled student, staff, or faculty member through this system.

System Testing

The University of Wisconsin-Whitewater Police Department conducts tests of the campus emergency notification systems on the Main campus. This is done during each semester. In addition to those tests, a fire and evacuation drill is conducted within every building on campus twice a year, once during each fall and spring semester. This assists in not only training our students, staff and faculty to the presence of alarms, but it also provides for additional testing, assessment and evaluation of the University's emergency systems. Information on emergency procedures is provided with testing notifications, usually through the campus email system. Each test is documented and archived within the University's Incident Archive of the Emergency Notification website. After each test, the University Police distribute an after action report, assessing and evaluating the emergency systems for improvements. The University Police do not do unannounced tests.

The Rock County campus conducts monthly tests of the campus emergency notification systems on the Rock County campus. In addition to those tests, a fire and evacuation drill is conducted within every building on campus twice a year, once during each fall and spring semester. This assists in not only training our students, staff and faculty to the presence of alarms, but it also provides for additional testing, assessment and evaluation of the University's emergency systems. Information on emergency procedures is provided with testing notifications, usually through the campus email system. Each test is documented and archived within the University's Incident Archive of the Emergency Notification website. After each test, the University Police distribute an after action report, assessing and evaluating the emergency systems for improvements. The University Police do not do unannounced tests.

Community Programming and Training

UW-Whitewater provides information to students and employees about campus security procedures and practices, encourages them to be responsible for their own security and the security of others, and informs them about the prevention of crime through regular programs and literature distribution. Programming is conducted on an "as requested" basis and most classes are normally scheduled 1-2 times per semester. University Police staff conduct numerous programs throughout the academic year concerning various crime prevention topics such as theft prevention, identity theft, internet scams, drug and narcotics, and "date rape" drugs. The University Police will tailor programming to the specific needs of the requestor and are not confined to the listed topics. Scheduled programs are advertised on posters, the UWW Weekly Newsletter, local papers and the my.uww.edu website. For scheduling, designing, or information on programming call the University Police at 262-472-4660 or email police@uww.edu.

During 2019 the University Police conducted 85 programs attended by approximately 7876 students, staff, and faculty and community members.

The following list highlights some of the past and currently available programs for personal safety and crime prevention. Any student, staff, faculty or community member may attend unless specifically stated otherwise in the scheduled course information or if sign up is necessary through my.uww.edu; all courses are taught by UW-Whitewater Police Officers. Programming is available any time of day, or day of the week. If you are seeking information on a topic you don't see listed, the University Police will tailor a program to your needs or provide you information on where to receive it on campus. For more information, please contact University Police Department between 8:00 am & 4:30 pm at 262-472-4660 or email police@uww.edu.

Sexual Assault Awareness – Straightforward discussions on the prevention, recovery, investigation and potential effects of sexual assault on victims, offenders, families and friends.

Alcohol Awareness – An informative and interactive workshop on the potential negative effects and consequences of inappropriate alcohol use.

Drug Awareness – an informative and interactive workshop on the potential negative effects and consequences of inappropriate drug use, and current trends in the usage of drugs and narcotics such as prescription drug abuse, molly, marijuana, heroin and others.

Traffic Safety-OWI, Seat Belt Safety – Discussions on driving behaviors, operating while intoxicated consequences, and positive outcomes of seat belt use. The workshop can include individual use of technologies to physically demonstrate the effectiveness of seat belts, the physiological outcomes of intoxication and driving, and a hands-on driving simulation using golf carts, traffic cones and intoxication simulation goggles.

Basic Crime Prevention – Discussion on the basics of crime prevention including everything from locking your door to being aware of your surroundings.

HawkWatch - Training on how to be a good witness, community advocate, and how to work in a cooperative, proactive partnership with police.

Spring Break and Travel Safety – Provides information on the unique challenges and concerns surrounding spring break and travel activities, not just to protect the individual and property, but to ensure a good time is had in a safe manner.

Working with the Police Department – Offers opportunities and information on how to work with the police when an individual is involved as a victim or witness to a crime or incident. The emphasis of this experience is to take the fear out of the unknown, to explain the systems involved, and to help people understand why some things are done the way they are.

Identity Theft and Computer Website Safety – Offers advice and information on how to avoid becoming a victim of identity theft. Topics such as phishing and scams are discussed and how to avoid being fooled by people trying to access your system for inappropriate reasons.

New Student Seminar – This presentation provides an overview of the current trends and safety concerns on campus. The presentation provides information on contacting and utilizing services generally related to incidents common with police interactions, such as University Health and Counseling, as well as Title IX and sexual assault issues. The student's responsibilities as a community member and the potential long term consequences of inappropriate actions are discussed. Students are challenged to provide solutions to scenarios related to these topics. They are further provided information on the campus' emergency messaging systems and encouraged to develop plans for their personal response to extreme incidents, incoming students are encouraged to attend the New Student Seminar presentation. The New Student Seminar Police presentation occurs at various day and evening hours, to accommodate varying student schedules, during the 3rd and 4th weeks of the fall semester. Further information on the New Student Seminar can be found at uww.edu/fye.

Emergency Response Guide

The University of Wisconsin-Whitewater is fully committed to the safety and security of our students, staff and faculty. The University has an emergency response guide for all students, staff and faculty available at <http://emergency.uww.edu/Topic>. The guide is also available in every classroom on campus. The guide provides information on who to contact and what actions to take during emergency events. The following topics are covered within the emergency response guide:

- Active Shooter
- Airborne Release
- Bomb Threat
- Building Evacuation for Individuals with Disabilities

Chemical or Radiation Spill
Civil Disturbance/Demonstrations
Communicable Disease
Earthquake
Elevator Malfunction
Explosion
Fire
Gas Leak
Homeland Security Threat
Inclement Weather
Medical and First Aid
Psychological Crisis
Responsibilities
Suspicious, Violent or Criminal Behavior
Tornado Warning
Utility Failure

Campus Assessment, Response and Evaluation Team (CARE)

The Campus Assessment, Response and Evaluation Team, known as the CARE Team, is a group of staff members from various departments who meet regularly to assist individuals experiencing difficulty and to help ensure the safety of our campus. High priority is placed on balancing individuals' right to privacy with the university's duty to respond to people experiencing difficulty or expressing at-risk behavior. The CARE Team's primary objective is to connect individuals with the support and resources they need to be healthy and productive members of our campus community. You can contact the CARE Team by email at deanofstudents@uww.edu or calling 262-472-1533.

Cooperation with Local Authorities

UW-Whitewater encourages cooperation with local police authorities to monitor and record information concerning criminal activity occurring away from the campus, but involving University recognized student organizations and properties. The City of Whitewater Police and Rock County Sheriff's Office actively engage in enforcement, recording and monitoring of non-campus properties. Individuals can be cited, arrested and referred for inappropriate or illegal actions. These enforcement actions may be referred to the University for further disciplinary actions under Wisconsin Administrative Code Chapter 17.

Underage Alcohol Enforcement

UW-Whitewater takes a proactive stand against underage alcohol possession or consumption on campus and the illegal sale or distribution of alcohol. Various informational programs on this issue are presented throughout the academic year. Institutional and Residence Hall policies have been established to deal with alcohol situations. University Police may issue citations to those persons found in violation of State Law. With each new violation, the fine is increased and the loss of a driver's license may also occur. In addition to law enforcement action or court sanctions, students may be held accountable for violations of university rules.

University Police may issue citations or provide diversion opportunities to those persons found in violation of State Law, specifically Wisconsin State Statute 125.07(4) (b), for possession or consumption of alcoholic beverages while underage. With each new violation, the fine is increased and the loss of a driver's license may also occur.

1ST Offense = \$263.50 (max fine = \$389.50) and a possible 90 day Driver's License suspension (Illinois residents WILL BE SUSPENDED for at least 6 months MANDATORY under Illinois law and reciprocity agreements).

2nd Offense= \$389.50 (max fine = \$515.50) and up to a 1 year Driver's License suspension

3rd Offense= \$515.50 (max fine = \$830.50) and up to 2 year Driver's License suspension

4th and subsequent = \$767.50 (max fine= \$1397.50) and 2 year Driver's License suspension

In addition to law enforcement action or court sanctions, students may be held accountable for violations of university rules.

Drug Enforcement

UW-Whitewater takes a proactive stand against possession, use, sale or production of illegal drugs, narcotics and related paraphernalia on campus. Various informational programs on this issue are presented throughout the academic year. Institutional and Residence Hall policies have been established to deal with drug and narcotics situations. University Police may issue citations or arrest those persons found in violation of State Law. In addition to law enforcement action or court sanctions, students may be held accountable for violations of university rules.

University Police may issue citations or provide diversion opportunities to those persons found in violation of State Law. With each new violation, the fine and consequences increase, which can include the loss of State and Federal financial aid.

1st Offense Citation for Possession of Marijuana = \$389.50 (max fine= \$767.50)

1st Offense Citation for Possession of Drug Paraphernalia = \$326.50 (max fine = \$767.50)

2nd and subsequent offenses related to Marijuana and Paraphernalia can result in criminal charges. All other statutory drug offenses can result in immediate criminal charges. All criminal drug related charges can result in the suspension of State and Federal financial aid.

Sex Offender Information

The University Police provide information on known registered sex offenders who reside or work on the campus in compliance with the Adam Walsh Child Protection and Safety Act of 2006. The University Police receive a list of individuals known to be associated with campus from the Department of Corrections each semester. Information on individuals is located on the University Police website at police.uww.edu under the Sex Offender Information tab. More detailed information can be provided in person at the University Police Department. The State of Wisconsin Sex Offender Registry can be found at <http://doc.wi.gov/community-resources/wi-sex-offender-registry>. The United States Department of Justice National Sex Offender Public Website can be accessed at <http://www.nsopw.gov/>.

Campus Crime Statistics Charts

In this chapter are statistical charts for calendar years 2018, 2017 and 2016. Changes may occur in how UW-Whitewater tracks and reports Clery Crimes that occur in and around campus. This can be caused by statutory changes or refined definitions. Differences in categories from year to year are explained in introductions to the charts. Differences in the statistics themselves reflect the number of crimes *reported*, and not necessarily a difference in the rate of crime itself. The data does not reflect prosecutions, convictions or the outcome of disciplinary actions.

Crimes statistics published in this document reflect crimes that are reported to have occurred in one of four federally defined locations. Crimes that are reported to have occurred outside of the following locations are not included in this report. The four federally defined locations are:

On-campus property is defined as any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to above that is owned by the institution but controlled by another person, frequently used by students, and supports institutional purposes (such as a food or other retail vendor.)

On-campus student housing is defined as any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

Public property is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.

Non-campus property is defined as any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property that is owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution. This category includes property that is outside of Whitewater, outside of Wisconsin and outside of the United States.

Unfounded Crime Statistics: A crime is considered unfounded for Clery Act purposes when a sworn or commissioned law enforcement officer makes a formal determination that the report is false or baseless. There was 1 unfounded crimes in 2019, 1 unfounded crimes in 2018, and 1 unfounded crimes in 2017.

UW-Whitewater, Whitewater Campus Crime Statistics Charts

OFFENSES	Year 2019				Year 2018				Year 2017			
	ON-CAMPUS PROPERTY		Public Property	Non-Campus	ON-CAMPUS PROPERTY		Public Property	Non-Campus	ON-CAMPUS PROPERTY		Public Property	Non-Campus
	Residence Hall	Total On-Campus			Residence Hall	Total On-Campus			Residence Hall	Total On-Campus		
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	1	0	0
Rape	8	17	1	0	2	7	0	0	8	9	1	0
Fondling	1	1	0	0	5	9	0	0	8	10	1	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	1	1	0	0	0	0	1	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	1	0
Burglary	3	7	0	0	3	4	0	0	4	6	0	0
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0	1	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
VAWA OFFENSES												
Domestic Violence	2	5	0	0	1	1	0	0	1	1	0	0
Dating Violence	2	4	0	0	1	1	0	0	7	7	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Weapons	0	0	0	0	0	0	0	0	1	1	1	0
Drugs	42	111	35	12	14	24	22	0	24	33	7	0
Liquor	0	0	0	0	0	0	0	0	0	0	0	0
REFERRALS												
Weapons	0	0	0	0	0	0	0	0	0	0	0	0
Drugs	23	59	0	1	25	32	1	0	38	41	2	0
Alcohol	316	431	15	0	284	306	13	0	339	385	86	0
HATE CRIMES												
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism to Property	0	0	0	0	0	0	0	0	0	0	0	0

***Note on Statistics as of 2014:** UW-Whitewater was informed underage drinking and possession is a civil offense in the State of Wisconsin, and should not be reported as an arrest per Clery Act regulations. In the spirit of transparency, UWYPD issued 63 civil underage alcohol tickets in 2019, 73 in 2018 and 118 in 2017 for violations that occurred within Clery-reportable geography.

UW-Whitewater, Rock County Campus Crime Statistics Charts

OFFENSES	Year 2019				Year 2018				Year 2017			
	ON-CAMPUS PROPERTY		Public Property	Non-Campus	ON-CAMPUS PROPERTY		Public Property	Non-Campus	ON-CAMPUS PROPERTY		Public Property	Non-Campus
	Residence Hall	Total On-Campus			Residence Hall	Total On-Campus			Residence Hall	Total On-Campus		
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
VAWA OFFENSES												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Weapons	0	0	0	0	0	0	0	0	0	0	0	0
Drugs	0	0	0	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0	0	0	0
REFERRALS												
Weapons	0	0	0	0	0	0	0	0	0	0	0	0
Drugs	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES												
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism to Property	0	0	0	0	0	0	0	0	0	0	0	0

***Note on Statistics as of 2014:** UW-Whitewater was informed underage drinking and possession is a civil offense in the State of Wisconsin, and should not be reported as an arrest per Clery Act regulations. In the spirit of transparency, UWSPD issued 0 civil underage alcohol tickets in 2019, 0 in 2018 and 0 in 2017 for violations that occurred within Clery-reportable geography.

Preventing and Responding to Sexual Assault, Domestic Violence, Dating Violence, and Stalking

The University of Wisconsin-Whitewater (UWW) prohibits the crimes of domestic violence, dating violence, sexual assault, stalking, or other forms of sexual misconduct. Offenders may be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings. UWW utilizes procedures that provide prompt, fair, and impartial investigation and resolution in cases involving domestic violence, dating violence, sexual assault, and stalking. These procedures are carried out by officials who receive annual training on these issues as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The following are the policies and procedures related to this.

UW-Whitewater Sexual Assault, Sexual Harassment and Intimate Partner Violence Policy

I. Purpose Statement

In accordance with its mission and institutional values, the University of Wisconsin-Whitewater is committed to creating and maintaining a community environment that is free from any form of gender discrimination, including sexual harassment and sexual violence. This policy sets forth the definitions, reporting requirements, procedures, remedies and resources that are available to the campus community in regard to allegations and/or incidents of sexual harassment, sexual violence, gender-based stalking, dating violence and domestic violence.

II. Policy and Scope

It is a violation of this policy for any individual to engage in any form of sex or gender discrimination through any form of sexual misconduct as defined herein either on UW-Whitewater owned or controlled property, at UW-Whitewater-sanctioned or UW-Whitewater-affiliated events, or off-campus if such conduct negatively impacts a member of the UW-Whitewater community. This policy applies to all UW-Whitewater students, employees, affiliates, vendors, contractors and guests. Upon receipt of an allegation, complaint or report of a violation of this policy, UW-Whitewater shall promptly and effectively respond to the violation, including taking all reasonable and necessary steps to address and prevent further violations of this policy. UW-Whitewater shall provide training programs and educational opportunities to the campus community members in regard to this policy and the rights and responsibilities contained herein.

III. Title IX Statement

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., prohibits discrimination on the basis of sex in any educational program or activity receiving Federal financial assistance.

IV. Definitions (See Appendix A)

V. Filing a Complaint or Report

A. Any individual who has been subjected to or witnessed a violation of this policy may file a complaint or report through any of the following methods:

1. Student Online Reporting Form: Click, complete and submit this form if the allegations involve or are against a student at UW-Whitewater:
https://cm.maxient.com/reportingform.php?UnivofWisconsinWhitewater&layout_id=4 or contact the Dean of Students Office at:

Dean of Students/Deputy Title IX Coordinator

750 W Main Street
Anderson Library L2100
Whitewater WI 53190
Phone: 262-472-1533

2. Employee Online Reporting Form: Click, complete and submit this form if the allegations involve or are against an employee at UW-Whitewater:
https://cm.maxient.com/reportingform.php?UnivofWisconsinWhitewater&layout_id=4 or contact the Office of Human Resources & Diversity at:

Director of Human Resources & Diversity/Deputy Title IX Coordinator

Office of Human Resources
800 W. Main, Hyer Hall Room 330
Whitewater, WI 53190
Phone: 262-472-4672

3. A complaint involving a student, employee or individual affiliated with the campus community may also be filed with the Title IX Coordinator at:

Title IX Coordinator

Human Resources
800 W. Main, Hyer Hall Room 330
Whitewater, WI 53190
Phone: 262-472-1024

4. A complaint involving a student, employee or individual affiliated with the campus community may also be filed with UW-Whitewater Police Department:

UW-Whitewater Police Department

Chief/Director of Police Department
Goodhue Hall
790 W. Starin Road
Whitewater, WI 53190
Phone 262-472-4660

B. In addition to the reporting methods above, an individual who is subject to sexual harassment or sexual violence may file a complaint with the U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>. A complainant may also file a report with the local law enforcement agencies which may have jurisdiction over criminal proceedings against the accused individual(s). Filing a report or complaint under this subsection shall not satisfy an employee's responsibility to file a report with one or more of the offices or officials designated under subsection (A) herein.

VI. Interim Measures or Accommodations

Upon receipt of a report or complaint of a violation of this policy, the appropriate office or UW-Whitewater official shall conduct an initial assessment of the allegations contained in the complaint and determine whether interim measures or accommodations (*See Appendix A for definitions*) should be provided in order to prevent further harassment or retaliation against the complainant(s), witnesses or respondent(s). The purpose of an interim measure(s) or accommodation(s) shall be to prevent further harassment or retaliation during the pendency of the complaint investigative and disciplinary process. It shall not be considered a sanction or punishment. If a campus official determines that an interim measure(s) or accommodation(s) is necessary and reasonable, the official shall initiate said measures or accommodations in consultation with the Title IX Coordinator and other UW-Whitewater officials who have the authority to enact said measure(s) or accommodations(s). These shall be considered temporary in nature and shall be withdrawn at the conclusion of the complaint process, investigation or disciplinary proceeding.

VII. Disciplinary Procedures

The appropriate disciplinary procedure for responding to a formal complaint or report of a violation of this policy will depend on the student, employee or guest relationship to UW-Whitewater, in accordance with the formal disciplinary procedures set forth below.

A. Student: When a report or complaint involves allegations against a student for a violation of this policy, UWS Chapter 17 shall apply.

B. Faculty Member: When a report or complaint involves allegations against a faculty member for a violation of this policy, UW-Whitewater Faculty Personnel Rules shall apply.

C. Academic Staff: When a report or complaint involves allegations against an academic staff member for a violation of this policy, UW-Whitewater Academic Staff Personnel Rules shall apply.

D. University Staff: When a report or complaint involves allegations against a member of the university staff for a violation of this policy, the University Staff Personnel Rules shall apply.

E. All other individuals: When a report or complaint involves allegations against an individual(s) who is not affiliated with UW-Whitewater in an employment, student or contractor relationship, a complainant or reporting party may contact UW-Whitewater Police Department to review the complaint for potential criminal prosecution. UW-Whitewater Police Department will work with local law enforcement agencies to respond accordingly. However, UW-Whitewater respects the right of every complainant, victim or survivor to choose whether or not to file a criminal complaint with a law enforcement agency. A complainant, victim or survivor is not required to file a complaint under this subsection (E).

F. If a report is made to more than one of the offices noted above, the offices will coordinate the response efforts in a manner that avoid unnecessary harm or additional trauma to the reporting party or complainant, with the consent and cooperation of the parties involved. Attempts will be made to limit the number of times a complainant or respondent is required to repeat information about the allegations.

VIII. Informal Resolution/Mediation

Depending on the nature of the incident, the relationship of the respondent to UW-Whitewater, and, to the extent possible, the desire of the complainant, an informal resolution or mediation may be pursued for a violation of this policy. The Deputy Title IX Coordinator (or designee) may resolve a complaint or report of sexual misconduct in a manner that is reasonable and responsive to the seriousness of the incident and consistent with UW-Whitewater's obligation to promptly and effectively respond to all allegations of sexual misconduct. If an informal resolution is pursued, the complainant and respondent shall agree to waive any time frames for formal disciplinary action under student non-academic misconduct rules or employee personnel rules. Mediation shall not be used for incidents involving allegations of sexual assault, dating violence or domestic violence.

IX. Remedies and Other Measures

A complainant is not required to pursue a formal complaint to be eligible for remedies related to an incident of sexual misconduct under this policy. If a complainant would like to pursue alternative options for resolution not specifically stated under this policy, said complainant shall provide a written request to the Title IX Coordinator or Deputy Title IX Coordinator to explore these options, which may include, but are not limited to a permanent no-contact directive, housing accommodations or academic accommodations. Regardless of whether or not disciplinary or punitive measures are available, UW-Whitewater may employ non-punitive measures to address incidents of sexual misconduct, including discussions, educational information and activities, and conflict resolution efforts, with the goal of maintaining an inclusive educational and workplace environment while also respecting individual rights to freedom of speech and expression.

X. Confidentiality

Consistent with this policy, reports made to any of the offices noted above, or to any other UW-Whitewater employee, except Confidential Employees or Advocates with a privilege under Wis. Stat. §905.045 cannot be guaranteed confidentiality. However, information provided in the report and in any subsequent, related proceeding will be maintained in a confidential manner in accordance with UW-Whitewater policy and applicable state or federal law. Only those individuals who have a legitimate need to know will be privy to confidential information to ensure that UW-Whitewater is promptly and adequately responding to a report of sexual harassment or sexual violence and preventing any further harassment or retaliation in accordance with Title IX, except as required by law.

XI. Responsibilities of UW-Whitewater Officials and Employees

A. Title IX Coordinator: The Title IX Coordinator shall be responsible for overseeing UW-Whitewater's prevention and response efforts in regard to sexual misconduct which shall include, but not be limited to being notified of all reports of sexual misconduct under this policy, maintaining a process under which to maintain files and records related to complaints and/or incidents of sexual misconduct, facilitating educational programming and training for employees and students, and working closely with the Deputy Title IX Coordinators, UW-Whitewater Police Department and committee members to monitor and evaluate the effectiveness of these efforts in accordance with applicable laws and guidance.

B. UW-Whitewater Employees: It is the responsibility of all members of the campus community to help create and maintain a safe and inclusive environment free of sexual misconduct and retaliation.

1. Mandatory Reporting of Sexual Misconduct: Any employee who experiences, witnesses or otherwise becomes aware of an incident, allegation, complaint or information regarding sexual misconduct committed by or against a student, employee, contractor or guest, shall submit a written report of said information to the Title IX Coordinator, Deputy Title IX Coordinators or UW-Whitewater Police Department within 48 hours from the time said information was received or as soon as practicably possible. (NOTE: Use of the online reporting form is a recommended option to verify that the information is received: https://cm.maxient.com/reportingform.php?UnivofWisconsinWhitewater&layout_id=4.) The report shall include the names of the alleged perpetrator (if known), the person who was subjected to the alleged sexual misconduct, other persons involved, as well as relevant facts, including date, time and location, if known. If the individual requests that the information shared with the employee be kept confidential, the employee is still required to report the information to the Title IX Coordinator who will evaluate the request to determine whether said request can be honored in light of UW-Whitewater's responsibility to provide a safe and nondiscriminatory environment for the campus community members. Confidential Employees are excluded from this reporting requirement under this subsection (B)(1).

2. Policy Review: All employees shall be required, as a part of their employment, to review this policy and its requirements, including but not limited to: a) definitions of sexual violence and sexual harassment; b) reporting requirements; and c) services and resources to which to refer complainants or victims of sexual misconduct.

3. Data Reporting: In accordance with Wis. Stat. §36.11(22), employees who witness an act of sexual assault, or who receive a first-hand report of sexual assault from an enrolled student, must report that information to the Office of the Dean of Students. Confidential Employees are only required to report the fact of the incident and no other information.

C. Advisory Committee: The Chancellor shall designate members of the campus community to serve as an advisory committee to provide oversight and assistance to the Title IX Coordinator and Deputy Title IX Coordinators in regard to individual rights and responsibilities under this policy, training and educational programming, and other campus-wide prevention and response efforts involving sexual misconduct.

XII. On and Off-Campus Resources

UW-Whitewater has identified services and resources for individuals to file a complaint, seek assistance, support or resources in regard to rights, responsibilities and/or alleged violations under this policy. These resources are available at <http://www.uww.edu/sexual-misconduct-information/reporting-sexual-assault>. Additional resources can be found at: <http://www.uww.edu/sexual-misconduct-information/resources>_____

XIII. Amnesty for Students

Complainants, victims, witnesses or individuals who report an allegation of sexual violence or sexual assault under this policy will not be subject to disciplinary action under UWS Chapter 17 for violations of minor alcohol or drug offenses if they occurred at or near the time of the incident.

XIV. Retaliation

This policy prohibits any form of retaliation against an individual who reports, assists an individual in reporting, or who participates in proceedings involving an allegation of sexual violence or sexual harassment. Retaliation under this policy includes, but is not limited to threats, intimidations, or adverse employment or academic actions. Any individual who is subject to actual or perceived retaliation as defined in this policy may report the allegations to the Title IX Coordinator, Deputy Title IX Coordinators or UW-Whitewater Police Department.

XV. Education and Training

The Title IX Coordinator and Deputy Title IX Coordinators will be responsible for facilitating the training and educational programs to the campus community. Students and employees will be required to complete an on-line training that addresses issues of sexual violence and sexual harassment in accordance with the U.S. Department of Education, Office for Civil Rights' guidance.

As noted above, the Title IX Coordinator (or designee) will maintain records of reports of sexual violence and sexual harassment that involve students or employees. In addition, the Title IX Coordinator will track compliance with mandatory training programs, and maintain a list of training and education offered on campus. UW-Whitewater Police Department will collect, maintain, and submit the Annual Security Report, consistent with the federal Jeanne Clery Act. The Office of the Dean of Students will collect appropriate data and compile the state report required under Wis. Stat. §36.11(22).

XVI. Assessment

The Title IX Coordinator, in consultation with the Director of Human Resources & Diversity and the Dean of Students will collaborate with the UW System Office of Policy and Research ("OPAR") to conduct a yearly climate study. All students and UW-Whitewater employees will be encouraged to participate. The Title IX Coordinator,

or its designee, will also work with OPAR to design methods for effectively evaluating the outcomes of campus training and educational programs.

APPENDIX A (Definitions)

The terms used in the policy shall have the definitions provided below. For any terms not defined, a common definition or meaning shall apply.

Accommodations: Any services and/or support provided to an individual that could potentially include modifications to the environment (curricular, housing, etc.) to ensure a full opportunity to participate in institutional academic, educational, living and program activities.

Advocate: A trained professional who provides victims of sexual misconduct or respondents with emotional support, information, access to resources and assistance in navigating the processes following such misconduct. Communications with an advocate may be considered confidential if a rule of privilege exists as defined under Wis. Stat. §905.045.¹ (See *Confidential Employee/Resource* for more information)

Assessment: A process of determining "what is." Assessment provides evidence, numerical or otherwise, to develop useful information about students, institutions, programs and courses. This information can be used to make decisions.

Complaint: A formal statement to express displeasure, pain, or grievance regarding a violation of law or rules.

Complainant: Any individual who is allegedly harmed by a respondent as a result of a violation of this policy.

Confidential Employee/Resource: A UW-Whitewater employee or agent who, while acting in a professional capacity as a medical, clinical, mental health professional or advocate, receives information from a student or employee of UW-Whitewater concerning sexual violence or sexual harassment. Said information shall be considered confidential in nature and not disclosed to a third party without the written consent of the reporting individual or unless required by law or court order.

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. A person is unable to give consent if the person is incapacitated because of drugs, alcohol, disabled physically or intellectually, or unconscious. [Wis. Stat. §940.224(4)]

Dating Violence: Violence committed in a "dating relationship," which is defined as a romantic or intimate social relationship between two adult individuals. "Dating relationship" does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context. A court shall determine if a dating

¹ Wis. Stat. §905.045 **Domestic violence or sexual assault advocate–victim privilege.** Pursuant to s. 905.045 of Wisconsin Statute, a "Victim advocate" means an individual who is an employee of or a volunteer for an organization the purpose of which is to provide counseling, assistance, or support services free of charge to a victim. A victim of abusive conduct (e.g. domestic abuse, sexual exploitation or sexual assault) has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made or information obtained or disseminated among the victim, a victim advocate who is acting in the scope of his or her duties as a victim advocate, and persons who are participating in providing counseling, assistance, or support services under the direction of a victim advocate, if the communication was made or the information was obtained or disseminated for the purpose of providing counseling, assistance, or support services to the victim.

relationship exists 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. [Wis. Stat. §813.12(l)(ag)]

Domestic Violence: Any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver's care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common, [Wis. Stats. §§813.12 (1)(am) and §968.075]:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of the state statute regarding sexual assault. [Wis. Stat. §940.225(1), (2) or (3)]
4. A violation of the state statute regarding stalking. [Wis. Stat. §940.32]
5. A violation of the state statute regarding damage to property [Wis. Stat. §943.01], involving property that belongs to the individual.
6. A threat to engage in any of the conduct under 1 through 5 listed above

[Wis. Stats. §§813.12 (l)(am) and §968.075.]

Employee: A person employed by UW-Whitewater for monetary compensation, wage or salary.

Evaluation: A systematic process to determine merit, work, value or significance.

Gender-based Stalking: Intentionally engaging in a course of conduct directed at a specific person based on that individual's sex or gender that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury or death of themselves or a member of their family or household [Wis. Stat. §940.32].

Hostile Environment: Written, verbal or physical acts or omissions that are sufficiently severe or pervasive so as to interfere with an individual's employment, education or academic environment or participation in institution programs or activities and creates a working, learning, program or activity environment that a reasonable person would find intimidating, offensive or hostile

Incapacitation: As it applies to this policy, the state of being unable to physically and/ or mentally make informed rational judgments and effectively communicate, and may include, but is not limited to unconsciousness, sleep, or blackouts, and may result from the use of alcohol or other drugs.

Interim Measure: UW-Whitewater actions, omissions or directives that are intended to temporarily modify or adjust a student's or employee's participation or access to academic, living or workplace environments, including extracurricular, recreational and campus-wide activities, during the complaint and investigative process related to an alleged violation of this policy. Said actions, omissions or directives shall be reasonable in nature and for the purpose of preventing further harassment or retaliation of the complainant(s), witnesses or the respondent(s).

Mediation: A mutually acceptable and informal process in which a neutral third-party campus official works closely with the complainant and respondent, and their advocates, if applicable, to discuss the issues involved in the complaint, allegations or disputes related to sexual misconduct in an attempt to reach a mutually-acceptable resolution. Both the complainant and respondent must be willing to voluntarily participate in order for this process to be utilized. This process shall not be used for incidents involving allegations of sexual assault, dating violence or domestic violence.

Preponderance of the Evidence: The standard of proof used in disciplinary proceedings under UWS Chapter 4, 7, 11 and 17 of the Wis. Admin. Code in regard to complaints involving sexual harassment, sexual assault, dating violence, domestic violence and stalking. Information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than "clear and convincing evidence" and is the minimum standard for a finding of responsibility.

Report: The act of notifying a UW-Whitewater official (See Section VI and XI below) concerning an incident, allegation, complaint or information involving sexual misconduct.

Respondent: An individual, student or employee who is accused of engaging in conduct or behavior in violation of this policy.

Retaliation: Adverse action taken against an individual in response to, motivated by or in connection with an individual's complaint of a violation of this policy, participation in an investigation of such complaint and/or opposition of conduct that would be considered a violation of this policy in the educational or workplace setting.

Sexual Assault: Sexual contact or sexual intercourse with another person without the consent of that person [Wis. Stats. §940.225(4)].

A. FIRST DEGREE SEXUAL ASSAULT. Engaging in any of the following constitutes First Degree Sexual Assault:

1. Sexual contact or sexual intercourse with another person without consent of that person and that causes pregnancy or great bodily harm to that person.
2. 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 victim to reasonably believe it to be a dangerous weapon.
3. Sexual contact or sexual intercourse with another person without the consent of that person by use or threat of force or violence, aided or abetted by one or more persons.

B. SECOND DEGREE SEXUAL ASSAULT. Engaging in any of the following constitutes Second Degree Sexual Assault:

1. Sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
2. Sexual contact or sexual intercourse with another person without consent of that person causing injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.
3. 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.
4. 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.
5. Sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
6. Sexual contact or sexual intercourse with another person without the consent of that person, aided or abetted by one or more other persons.

C. THIRD DEGREE SEXUAL ASSAULT. Sexual intercourse with a person without the consent of that person.

D. FOURTH DEGREE SEXUAL ASSAULT. Sexual contact with a person without the consent of that person.

Sexual Contact: Intentional touching, whether direct or through clothing, if that intentional touching is for the purpose of sexually degrading or sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery under Wis. Stats. §940.19(1) or §940.225(5)(b)(I).

Sex Discrimination: Inequitable treatment based on sex or gender. Sexual harassment and sexual assault are forms of sex discrimination.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individuals; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment. [Adapted from 29 C.F.R. §1604.11 [1980].]

Sexual Intercourse: Penetration, as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening either by the defendant or upon the defendant's instruction [Wis. Stat. §940.225(5)(c)].

Sexual Violence: Incidents involving sexual assault, sexual harassment, gender-based stalking, dating violence, and domestic violence.

Student: A person who is enrolled in an educational or academic program or course at UW-Whitewater, including online, and who will be continuing their education at UW-Whitewater immediately after an academic calendar break in the academic year (e.g. winter or summer break).

Survivor of Sexual Assault: This term is commonly used to refer to a person who has experienced an act of sexual violence and is working to move forward from the event, and rebuild their life in a healthy manner. A sexual assault survivor is both a victim of a crime and a survivor of a crime. See definition of "Victim" below.

Title IX: Title IX of the Education Amendments of 1972 (20 U.S.C. sec. 1681 et seq.; 34 C.F.R. Part 106)(as amended) is a federal law that prohibits sex discrimination, including sexual harassment and sexual assault, in any educational program or activity receiving Federal financial assistance.

Trauma-informed Care: A strength-based, organizational structure and treatment framework grounded in an understanding of and responsiveness to the impact of trauma, that emphasizes physical, psychological, and emotional safety for both survivors and providers, and that creates opportunities for survivors to rebuild a sense of control and empowerment

A trauma-informed approach:

- Realizes the widespread impact of trauma and understands potential paths for recovery;
- Recognizes the signs and symptoms of trauma of those involved; Responds by fully integrating knowledge about trauma into policies, procedures and practices; and
- Actively seeks to resist re-traumatization. (*Adapted from the Substance Abuse and Mental Health Services Administration*)

Victim: An individual who has been sexually assaulted or subjected to or forced to participate in an act of sexual violence or harassment. These acts can include sexually offensive language, touching or penetrating the vagina, mouth, or anus of the victim; touching the penis of the individual; or forcing an individual to touch the

attacker's vagina, penis, or anus. Touching can mean with a hand, finger, mouth, penis, or an object. This individual may live in a constant state of coping with the aftermath in dealing with a traumatizing experience, living in a society in which victim blaming is rampant, and managing the emotional and health consequences. The term “sexual assault victim” is commonly used by members of the criminal justice system. See definition of “Survivor” above.

Violence Against Women Act (VAWA): A federal law commonly known as “VAWA” which was enacted in 1994 to hold offenders accountable and provide services and support to female victims of violence crimes. VAWA was most recently reauthorized in 2013 and amended the Jeanne Clery Act to expand the rights afforded to campus survivors of sexual assault, domestic violence, dating violence, and stalking. VAWA includes sexual assault, dating violence, domestic violence, and stalking in the definition of sexual violence and harassment. See also: <http://clerycenter.org/article/vawa-amendments-clery>.

Bystander Intervention

Many people think that sexual assault only affects the victim, when in fact entire families, friend groups, and communities are hurt. Campuses suffer from the victims who drop out, the perpetrators who cause fear, and the classrooms that are distracted. It's simple. If you see something, say something.

- Before it even happens, listen up for rape jokes and sexist language. You don't have to laugh or participate.
- If you witness something happening, step in. Create a diversion. Even if you don't know the person who looks in trouble, you can still help. Get them to a safe place. Remember, it's your campus, so it's your business.
- You can be a bystander even after an assault. Learn what options rape victims have available to them on this campus and be supportive of their choices

Risk Reduction

Preventing Perpetration and Protecting Yourself: Strategies to Prevent Perpetration

- Understand and respect your partner's limits.
- Men who use sexually callous language are more likely to perpetrate sexual assault. The next time you hear yourself or someone else talking about women or sex in a derogatory way, stop. Speak up when you hear others talk this way— men or women!
- Know your own sexual limits.
- Learn more about how men and women communicate differently.
- Listen to or read the story of a survivor.
- Make sure you have consent. Consent is a clear and freely given yes, not the absence of a no. People who are incapacitated by alcohol or drugs cannot give consent.

Strategies to Protect Yourself:

- Practice being assertive about your boundaries.
- If saying NO or STOP is too hard, consider creating a diversion so you can leave.
- Enroll in Chimera or another self-defense program that focuses on sexual assault.
- Set your drinking limits before you start drinking.
- Get your own drinks; don't let someone continually fill your cup or leave your drink unattended.

Signs of an abusive dating partner may include:

- Calls you names, insults you, or continually criticizes you
- Does not trust you and acts possessive or jealous
- Tries to isolate you from family or friends
- Monitors where you go, who you call, and who you spent time with

- Controls finances or refuses to share money
- Punishes you by withholding affection
- Expects you to ask permission
- Threatens to hurt you, your family, your pets, or belongings
- Threatens and/or uses a weapon against you
- Has ever forced, coerced, or manipulated you into having sex or performing sexual acts
- Accuses you of cheating or is often jealous of your relationships with others of the opposite gender
- Trapped you in your apartment or dorm room and kept you from leaving
- IM, text messages, and calls you obsessively to find out where you are and what you are doing

Remember, sexual assault, dating violence, and stalking are never the fault of the victim; they are the choice of the perpetrator.

Reporting Options for Victims/Survivors:

Students who experience sexual assault, dating violence, and/or stalking have many options and services available to them on and off campus, including counseling; victim advocacy; access to the criminal and campus disciplinary systems; medical attention. All of these services are available to students regardless of their choice to report the incident to law enforcement, and most are free.

Individuals are highly encouraged to report all sexual assaults to the appropriate law enforcement agency at 911. In addition, individuals may also report a sex offense to UW-Whitewater's Title IX Coordinator (Vicki Schreiber, Hyer Hall, Room 330, 262-472-1024, schreibv@uww.edu) or the Dean of Students (Hyer Hall, Room 200, 262-472-1533, deanofstudents@uww.edu). Both the Title IX Coordinator and Dean of Students Office will assist individuals in reporting to law enforcement if the individual decides they want to. Individuals may also report to the Dean of Students by using an online reporting form found at www.uww.edu/dean-of-students/report-a-concern-or-incident.

Licensed health and counseling staff, provide confidential service and will assist an individual in reporting a crime, should the victim decide they would like to. Counselors may, in situations of extreme concern or imminent threat, encourage individuals to report crimes. Licensed health and counseling staff are required to submit statistics to the Dean of Students on a yearly basis of any sexual assaults they have learned about in the last year under Wisconsin 36.11(22)(c), but do not include identifying information unless the student wishes to share it.

Certain heinous crimes, such as Sexual Assault, may require the University to notify the community of the danger via Timely Warning or Emergency Notification, and take required steps to protect the community, but the individual reporting the crime, will have their identity protected as allowed by law.

A victim has the option to notify or not notify the appropriate law enforcement agency to report a sexual assault. If the crime occurred on UWW property, UWWPD has jurisdiction on the campus. If the crime occurred off campus, the victim can notify the appropriate local law enforcement agency with jurisdiction at the location of the crime. UWWPD will assist the victim in identifying the correct law enforcement agency and will assist the victim in reporting it to that agency.

We know that many student victims do not feel comfortable talking to law enforcement, campus administrators, professors, or advisors. The campus provides training and information to these staff, but if you find yourself unable to seek help from one of the offices listed below, we encourage you to tell a trusted friend or family member. Healing can look different for everyone.

It is important to preserve evidence and persons who have been victims of sexual assault should refrain from bathing or douching and should not wash clothing or bed linens. Don't delete texts, social media messages or posts, pictures or dispose of any items, electronic or physical, which may have a connection to the incident or those involved. Such evidence may be helpful in criminal prosecution or in obtaining a protection order. If a victim has obtained a restraining order, a copy of the order should be submitted to the University Police and they may assist in enforcing it.

Services Available to Victims/Survivors

The campus and surrounding community have a wide range of services available to help student victim/survivors. This information is always provided as part of prevention education efforts and is detailed at www.uww.edu/sexual-misconduct-information.

Additional services may be available elsewhere; this is a list of services most commonly accessed by UW-Whitewater students.

PAVE

24 Hour Crisis Line 920-390-4206
P.O. Box 561
Beaver Dam WI 53916
www.pavedc.org

New Beginnings - Association for the Prevention of Family Violence (APFV)

262-723-4653
143 W. Main St.
Whitewater, WI 53190
www.co.walworth.wi.us/Health%20and%20Human%20Services/Intervention/apfv.aspx

Wisconsin Coalition Against Sexual Abuse

608-257-1516
2801 West Beltline Highway
Suite 202
Madison WI 53713
wcasa@wcasa.org
www.wcasa.org

Sexual Assault, Dating Violence, Domestic Violence, and Stalking Disciplinary Procedures for Student Perpetrators

Students have the right to report incidents and have them investigated by sworn police officers to the University Police at 262-472-4660 or the police department where the crime occurred. University Police receive extensive training in the investigation of sensitive crimes. The UW-Whitewater Police currently has 1 Sergeant and 2 Officers who receive specialized training in the investigation of sexual assault and work in conjunction with a county-wide task force. UW-Whitewater Police will provide assistance in the application and obtaining of Orders of Protection, Restraining Orders and other legal protections. Police officers are allowed by State law to implement a 72 hour no contact order in domestic violence situations. UW-Whitewater Police are authorized to provide immediate, temporary banning from Residence Hall facilities when involved.

A person may file a disciplinary complaint against a student by contacting the Dean of Students Office at 262-472-1533 or by visiting the Dean of Students Office in Anderson Hall. These complaints follow the Chapter 17 Disciplinary Procedures process. These investigations are conducted by University personnel and not police officers. When someone reports they have been a victim of dating violence, domestic violence, sexual assault, or stalking, regardless if the offense occurred off campus, the University of Wisconsin-Whitewater will provide a written explanation of the person's rights and options, as well as all services available to the student or employee.

The disciplinary proceedings regarding dating violence, domestic violence, sexual assault, and stalking will include a prompt, fair, and impartial process from the initial investigation to the final result. Investigating officers (non-sworn personnel) receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

All alleged cases of dating violence, domestic violence, sexual assault and stalking investigated by the University of Wisconsin-Whitewater will follow UWS Chapter 17.11 Disciplinary Procedures if the alleged perpetrator (respondent) is a student, regardless of the type of incident. The complainant will be invited to discuss the situation with the investigating officer who will then ask further questions. Additionally, a respondent will be requested to participate in a *disciplinary conference*, where:

CONFERENCE WITH RESPONDENT. When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly contact the respondent in person, by telephone, or by electronic mail to offer to discuss the matter, review the investigating officer's basis for believing that the respondent engaged in nonacademic misconduct, and to afford the respondent an opportunity to respond. If the respondent fails to respond to the investigating officer's offer to discuss the matter, the investigating officer may proceed to make a determination on the basis of the available information. A complainant shall have all the rights provided to the respondent in this subsection.

In addition to the disciplinary conference, the investigating officer may contact and interview complainants, witnesses or reporting parties, and/or acquire police or other campus reports that can aid in the investigation. Campus investigations may proceed regardless of criminal investigations or proceedings, and may move forward more quickly. In the event an investigation must be postponed while law enforcement gathers evidence, both the complainant and respondent will be notified.

If the investigating officer determines the preponderance of evidence standard is not met, per UWS Chapter 17.11 (3), the matter is considered resolved and both parties will be notified in writing simultaneously of the outcome.

DETERMINATION BY THE INVESTIGATING OFFICER THAT NO DISCIPLINARY SANCTION IS WARRANTED. If, as a result of a discussion under sub.(2) or review of available information, the investigating officer determines that nonacademic misconduct did not in fact occur, or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action. The investigating officer shall simultaneously notify the respondent and the complainant of this outcome and offer to discuss it separately with either one. If the investigating officer determines that nonacademic misconduct did not occur or that no disciplinary sanction is warranted, the complainant may appeal this decision in accordance with s. UWS 17.13.

If the investigating officer determines the preponderance of evidence standard is met, per UWS Chapter 17.11(4), the investigating officer will prepare a written report which will be distributed to both complainant and respondent containing a description of the alleged misconduct, information available that was used in making the decision, outcomes / sanctions, a notice of right to a hearing, and a copy of applicable policies & institutional procedures.

Preponderance of Evidence as defined by UWS 17.02(13) states: "Preponderance of the evidence" means information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than "clear and convincing evidence" and is the standard for a finding of responsibility.

If the respondent chooses to request a hearing regarding the outcome, or if the outcome warrants suspension, expulsion, or enrollment restrictions, a *disciplinary hearing* will be scheduled, unless waived. A disciplinary hearing may be heard by a *hearing examiner*, or *hearing committee*.

A hearing will be scheduled within 15 days of receipt of the request or written report, and will be conducted with 45 days. When a hearing is scheduled, the investigating officer will provide in writing a full explanation of the facts upon which the determination of misconduct was based, and shall provide the student with access to or copies of the investigating officer's explanation, together with any other materials provided to the hearing examiner or committee by the investigating officer, including any additional available information per UWS 17.12(3).

During a hearing, per Chapter 17.12(4)b:

The respondent shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on his or her own behalf, and the right to be accompanied by an advisor of the respondent's choice. The advisor may be a lawyer. In cases where the recommended disciplinary sanction is identified in s. UWS.17.10.1.a to h, the advisor may counsel the respondent, but may not directly question adverse witnesses, present information or witnesses, or speak on behalf of the respondent except at the discretion of the hearing examiner or committee. In cases where the recommended disciplinary sanction is identified in s. UWS 17.10.1.i or j, or where the respondent has been charged with a crime in connection with the same conduct for which the disciplinary sanction is sought, the advisor may question adverse witnesses, present information and witnesses, and speak on behalf of the respondent. In accordance with the educational purposes of the hearing, the student is expected to respond on his or her own behalf to questions asked of him or her during the hearing. The complainant shall have all the rights provided to the respondent in this subsection.

Both the complainant and respondent have the right to have others present during any disciplinary proceeding, including any related meetings.

After the hearing, the examiner or committee will prepare a decision within 14 days of the hearing, and deliver it to both complainant and respondent in writing. Decisions regarding sanctions require a *preponderance of evidence*. The outcome of the hearing becomes final within 14 days of the written decision, unless appealed under UWS Chapter 17.13. Additionally, both the complainant and respondent will be notified of their appeal rights per UWS 17.13. The University strives to complete the entire process within 60 days.

Per UWS 17.10, one or multiple of the following sanctions may be imposed as a result of a disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking:

- A written reprimand
- Denial of specified university privileges
- Restitution
- Educational or service sanctions, including community service
- Disciplinary probation
- Imposition of reasonable terms and conditions on continued student status
- Removal from a course in progress
- Enrollment restrictions on a course or program
- Suspension
- Expulsion

Protective measures offered to a complainant following a report of dating violence, domestic violence, sexual assault, or stalking include:

- Alternate housing accommodations, if reasonably available
- No contact directives issued by the Dean of Students Office to the respondent
- Alternate class, work, and transportation accommodations, if reasonably available
- Assistance with notifying law enforcement
- Assistance in obtaining protective orders (help with filing a restraining order)
- Counseling and health services

These accommodations will be made whenever they are reasonably available whether the incident is reported to police or not. Victims will be provided with written information regarding these accommodations.

To maintain integral and open communication during the misconduct process, UW-Whitewater will simultaneously notify the complainant and respondent of any disciplinary actions that arise from allegations of dating violence, domestic violence, sexual assault, or stalking. This includes both forcible and non-forcible sex offenses. Additionally, both parties will be notified in writing of any changes in results and the date at which results become

final. Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

- UW-Whitewater will protect the confidentiality of victims and witnesses as follows:
- Names of victims will not be publicly released.
- Clery Act reporting and other reporting requirements will not include names or other identifying information.
- Accommodations and protective measures will be provided while maintaining as much confidentiality as possible.

Institutional Procedures for Employees in Cases of Alleged Sexual Assault, Dating Violence, Domestic Violence, and Stalking by Faculty, Academic Staff and University Staff

University employees have the right to report incidents and have them investigated by sworn police officers to the University Police at 262-472-4660 or the police department where the crime occurred. University Police receive extensive training in the investigation of sensitive crimes. The UW-Whitewater Police currently has 1 Sergeant and 2 Officers who receive specialized training in the investigation of sexual assault and work in conjunction with a county wide task force. UW-Whitewater Police will provide assistance in the application and obtaining of Orders of Protection, Restraining Orders and other legal protections. Police officers are allowed by State law to implement a 72 hour no contact order in domestic violence situations. UW-Whitewater Police are authorized to issue immediate, temporary bans against individuals from Residence Hall facilities, when necessary and appropriate.

University employees are subject to disciplinary procedures and sanctions for sexual misconduct including sexual assault, sexual harassment, dating violence, domestic violence and stalking committed on university property or during work time, up to and including termination of employment. Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, as set forth in Wisconsin statutes, administrative rules, faculty and academic staff policies, UW System University Personnel System Operational Policies, and collective bargaining agreements. Referral for prosecution under criminal law is also possible and is a standard procedure in cases of sexual assault.

UW-Whitewater has three major categories of employees: faculty, academic staff, and university staff. If you wish to report an employee or third party for alleged sexual assault, domestic violence, dating violence or stalking, contact the Title IX Coordinator, 262-472-1910 or the UW-Whitewater Police Department, 262-472-4660.

The discipline and dismissal procedures for faculty and academic staff members were developed through shared-governance processes. The discipline and dismissal procedures for university staff are conducted in accordance with the University of Wisconsin System Personnel System (UPS) Operational Policy - GEN 14 and GEN 28, as developed by and based on the UPS Proposed Implementation Decisions and UW-Whitewater University Staff Personnel Rules – Workplace Conduct Expectations Policy, The UPS Operational Policies provide the framework for UW institutions, other than UW-Madison, to extend the UW Board of Regents' authority to university staff.

To initiate disciplinary action, including dismissal, in response to complaints involving sexual harassment, sexual assault, dating violence, domestic violence or stalking, the Chancellor, or designee, shall follow the following processes, depending on the employee category:

1. Complaint Against Faculty or Academic Staff: The Chancellor, or designee,
 - a. Shall also offer to discuss the matter informally with the complainant, and provide information of rights under either UWS 4, UWS 6, UWS 7 or UW-Whitewater Faculty Personnel Rules Chapter VI (faculty) or UWS 11, 13 or UW-Whitewater Academic Staff Personnel Rules
 - b. Both the accused and the complainant shall have the right to be accompanied by an advisor of their choice at any meeting or proceedings that is part of the institutional disciplinary process.
 - c. An employee may be dismissed only after receipt of a written statement of specific charges from the chancellor as the chief administrative officer of the institution and, a hearing can be requested by employee, in accordance with the provisions.
 - d. If the employee does not request a hearing, action shall proceed along normal administrative lines.

Any formal statement of specific charges for dismissal sent to an employee shall be accompanied by a statement of the appeal procedures available to the employee.

The statement of charges shall be served personally or by certified mail, return receipt requested.

If the statement of charges involves sexual harassment, sexual assault, dating violence, domestic violence, or stalking, the statement shall be provided to the complainant upon request, except as may be precluded by applicable State or federal law.

a. Faculty Dismissal:

Whenever the Chancellor the University of Wisconsin-Whitewater receives a complaint against a faculty member which he/she deems substantial and which, if true, might lead to dismissal under s. UWS 4.01 or s. UWS 7 the Chancellor shall within a reasonable time initiate an investigation and shall, prior to reaching a decision on filing charges, offer to discuss the matter informally with the faculty member. A faculty member may be dismissed only after receipt of a written statement of specific charges from the chancellor as the chief administrative officer of the institution and, if a hearing is requested by the faculty member, in accordance with the provisions of this policy. If the faculty member does not request a hearing, action shall proceed along normal administrative lines but the provisions of ss. UWS 4.02, 4.09, and 4.10 shall still apply.

Any formal statement of specific charges for dismissal sent to a faculty member shall be accompanied by a statement of the appeal procedures available to the faculty member.

The statement of charges shall be served personally or by certified mail, return receipt requested. If such service cannot be made within 20 days, service shall be accomplished by first class mail and by publication as if the statement of charges were a summons and the provisions of s. 801.11 (1) (c), Stats., were applicable.

b. Academic Staff Dismissal:

Whenever the Chancellor receives a written allegation which concerns an academic staff member holding an indefinite appointment which appears to be substantial and which, if true, might lead to dismissal under UWW 6.01, the Chancellor shall request within (20) working days that the appropriate dean or division head investigate the allegation, offer to discuss it formally with the individual, and provide information of rights to which members of the academic staff are entitled under this chapter. If such an investigation and discussion does not result in a resolution of the allegation, and if the allegation is deemed sufficiently serious to warrant dismissal, the dean or division head shall prepare a written statement of specific charges. A member of the academic staff may be dismissed only after receipt of such a statement of specific charges, and if a hearing is requested by the academic staff member, after a hearing held in accordance with the provisions of this policy shall apply. In those cases where the immediate supervisor of the academic staff member concerned is a dean or division head, the Chancellor shall, to avoid potential prejudice, designate an appropriate administrative officer to act for the dean or division head under this section.

Any formal statement of specific charges shall be served personally or by certified mail, return receipt requested. If such service cannot be made within twenty (20) working days, service shall be accomplished by first class mail and by publication as if the statement of charges were a summons and the provisions of Section 262.06 (1) (c), Wis Stats. where applicable.

2. Complaints against University Staff:

If a complaint is filed against a University Staff member, UPS Operational Policy – GEN 14 and GEN 28, and UW-Whitewater University Staff Personnel Rules – Workplace Conduct Expectations Policy shall apply. If a university staff member engages in one or more forms of prohibited conduct, disciplinary action ranging from a reprimand to immediate discharge may be initiated, depending upon the specific form of conduct and/or the number of infractions.

Standard of Evidence

In the case of campus disciplinary pro-cedures, both the accuser and the ac-cused in a case involving allegations of a sex offense are entitled to the same opportunities to have an advisor pres-ent at any institutional misconduct

hearing. In all cases involving alleged sexual harassment or sexual assault, the standard of proof is the “preponderance of the evidence” standard, which means information that would persuade a reasonable person that a proposition is more probably true than not true. The accuser has the same right of appeal in a disciplinary proceeding as the accused.

The University of Wisconsin System

UPS OPERATIONAL POLICY: GEN 28

SUBJECT: Sexual Misconduct

Operational Policy: GEN 28

Original Issuance Date: July 1, 2015

Last Revision Date:

1. POLICY PURPOSE:

The purpose of this policy is to establish a policy on reporting sexual misconduct and on the need to comply with the federal law that requires UW System institutions to provide certain procedural rights to individuals who assert that they were harmed as a result of sexual misconduct by a university staff member. “Sexual misconduct” under this policy includes sexual assault, sexual harassment, gender-based stalking, and relationship violence.

2. POLICY BACKGROUND:

This policy complies with federal laws, including Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in any educational program or activity receiving federal financial assistance and require UW System institutions to take immediate and effective steps to respond to reports of sexual misconduct. Title IX requires that an individual who asserts that he or she was harmed as a result of sexual misconduct (i.e., the accuser or the complainant) must be provided with all procedural rights provided to the individual accused of sexual misconduct.

3. POLICY DEFINITIONS:

“Dating violence” means violence committed by an employee in a “dating relationship” as defined in Wis. Stat. § 813.12(1)(ag). “Dating relationship” means a romantic or intimate social relationship between 2 adult individuals but “dating relationship” does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

“Domestic violence” means conduct defined as “domestic abuse” in Wis. Stat. § 968.075.

“Preponderance of the evidence” is the standard of proof under which the available information would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than “clear and convincing evidence.”

“Relationship violence” includes dating violence and domestic violence. “Sexual assault” means conduct defined in Wis. Stat. § 940.32.

“Sexual harassment” is a form of sex discrimination. It occurs in a variety of situations that share a common element: the inappropriate introduction of sexual activities or comments into the work or learning situation. Often, sexual harassment involves relationships of unequal power and contains elements of coercion – as when compliance with requests for sexual favors becomes a criterion for granting work, study, or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person’s ability to study or work in the academic setting.

“Stalking” means conduct defined in Wis. Stat. § 940.32.

4. POLICY

Reporting Incidents of Sexual Misconduct

Employees are strongly encouraged to report any incident of sexual misconduct at any time to the institution Title IX coordinator, Office of Human Resources, Affirmative Action/Equal Employment Office, their immediate supervisor, local law enforcement officials, or other institution officials who are designated to receive such reports. Prompt reporting is recommended in order to assure that all relevant evidence is collected and preserved to assist in an investigation.

Each UW System institution must identify its Title IX coordinator and should identify any other employees to whom an individual may report an allegation of sexual misconduct.

Required Procedures When a Grievant Appeals the Imposition of Discipline for Alleged Sexual Misconduct

Certain procedures are required in sexual misconduct cases. This policy applies to sexual misconduct cases when the grievant is a university staff member appealing the imposition of discipline for alleged sexual harassment, sexual assault, dating violence, domestic violence, or stalking. Federal law requires that a complainant who has asserted that he or she was harmed as a result of sexual misconduct must be provided with all procedural rights provided to the grievant. For example, both the grievant and the complainant must receive notice of all hearings and must be granted the right to participate in those hearings. Federal law also requires that the standard of proving that the misconduct occurred shall be by a preponderance of the evidence.

Possible Sanctions

Any employee found responsible for sex-based misconduct may receive any of the following sanctions:

- Letter of warning
- Official reprimand
- Referral to a required counseling program
- Suspension from employment with pay
- Suspension from employment without pay
- Termination from employment
- Training on Sex-Based Misconduct.

Any third party (visitor, guest, contractor, subcontractor, vendor, partner, or business affiliate) found responsible for sex-based misconduct will receive a sanction ranging from a written warning to being banned from any University property, activities, and/or programs, including the termination of any business contract with the University.

Chapter UWS 4—Procedures for Dismissal

UWS 4.01 Dismissal for cause.

1) Any faculty member having tenure may be dismissed only by the board and only for just cause and only after due notice and hearing. Any faculty member having a probationary appointment may be dismissed prior to the end of his/her term of appointment only by the board and only for just cause and only after due notice and hearing. A decision not to renew a probationary appointment or not to grant tenure does not constitute a dismissal.

(2) A faculty member is entitled to enjoy and exercise all the rights and privileges of a United States citizen, and the rights and privileges of academic freedom as they are generally understood in the academic community. This policy shall be observed in determining whether or not just cause for dismissal exists. The burden of proof of the existence of just cause for a dismissal is on the administration.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75.

UWS 4.02 Responsibility for charges.

(1) Whenever the chancellor of an institution within the university of Wisconsin system receives a complaint against a faculty member which he/she deems substantial and which, if true, might lead to dismissal under s. UWS 4.01, the chancellor shall within a reasonable time initiate an investigation and shall, prior to reaching a decision on filing charges, offer to discuss the matter informally with the faculty member. A faculty member may be dismissed only after receipt of a written statement of specific charges from the chancellor as the chief administrative officer of the institution and, if a hearing is requested by the faculty member, in accordance with the provisions of this chapter. If the faculty member does not request a hearing, action shall proceed along normal administrative lines but the provisions of ss. UWS 4.02, 4.09, and 4.10 shall still apply.

(2) Any formal statement of specific charges for dismissal sent to a faculty member shall be accompanied by a statement of the appeal procedures available to the faculty member.

(3) The statement of charges shall be served personally or by certified mail, return receipt requested. If such service cannot be made within 20 days, service shall be accomplished by first class mail and by publication as if the statement of charges were a summons and the provisions of s. 801.11 (1) (c), Stats., were applicable. Such service by mailing and publication shall be effective as of the first insertion of the notice of statement of charges in the newspaper.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75; correction in (3) made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474.

UWS 4.09 Suspension from duties. Pending the final decision as to his/her dismissal, the faculty member shall not normally be relieved of duties; but if, after consultation with appropriate faculty committees the chancellor finds that substantial harm to the institution may result if the faculty member is continued in his/her position, the faculty member may be relieved immediately of his/her duties, but his/her pay shall continue until the board makes its decision as to dismissal, unless the chancellor also makes the determinations set forth in s. UWS 7.06 (1) in which case the suspension from duties may be without pay and the procedures set forth in s. UWS 7.06 shall apply.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75; CR 06-078: am. Register May 2007 No. 617, eff. 7-1-07.

UWS 4.10 Date of dismissal. A decision by the board ordering dismissal shall specify the effective date of the dismissal.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75.

801.11 Personal jurisdiction, manner of serving summons for. A court of this state having jurisdiction of the subject matter and grounds for personal jurisdiction as provided in s. 801.05 may exercise personal jurisdiction over a defendant by service of a summons as follows:

(1) NATURAL PERSON. Except as provided in sub. (2) upon a natural person:

(a) By personally serving the summons upon the defendant either within or without this state.

(b) If with reasonable diligence the defendant cannot be served under par. (a), then by leaving a copy of the summons at the defendant's usual place of abode:

1. In the presence of some competent member of the family at least 14 years of age, who shall be informed of the contents thereof;

1m. In the presence of a competent adult, currently residing in the abode of the defendant, who shall be informed of the contents of the summons; or

2. Pursuant to the law for the substituted service of summons or like process upon defendants in actions brought in courts of general jurisdiction of the state in which service is made.

(c) If with reasonable diligence the defendant cannot be served under par. (a) or (b), service may be made by publication of the summons as a class 3 notice, under ch. 985, and by mailing. If the defendant's post-office address is known or can with reasonable diligence be ascertained, there shall be mailed to the defendant, at or immediately prior to the first publication, a copy of the summons and a copy of the

complaint. The mailing may be omitted if the post-office address cannot be ascertained with reasonable diligence.

(d) In any case, by serving the summons in a manner specified by any other statute upon the defendant or upon an agent authorized by appointment or by law to accept service of the summons for the defendant.

2) NATURAL PERSON UNDER DISABILITY. Upon a natural person under disability by serving the summons in any manner prescribed in sub. (1) upon the person under disability and, in addition, where required by par. (a) or (b), upon a person therein designated. A minor 14 years of age or older who is not adjudicated incompetent and not otherwise under guardianship is not a person under disability for purposes of this subsection.

(a) Where the person under disability is a minor under the age of 14 years, summons shall be served separately in any manner prescribed in sub. (1) upon a parent or guardian having custody of the child, or if there is none, upon any other person having the care and control of the child. If there is no parent, guardian or other person having care and control of the child when service is made upon the child, then service of the summons shall also be made upon the guardian ad litem after appointment under s. 803.01.

(b) Where the person under disability is known by the plaintiff to be under guardianship of any kind, a summons shall be served separately upon the guardian in any manner prescribed in sub. (1), (5) or (6). If no guardian has been appointed when service is made upon a person alleged by the plaintiff to be incompetent to have charge of the person's affairs, then service of the summons shall be made upon the guardian ad litem after appointment under s. 803.01.

(3) STATE. Upon the state, by delivering a copy of the summons and of the complaint to the attorney general or leaving them at the attorney general's office in the capitol with an assistant or clerk.

(4) OTHER POLITICAL CORPORATIONS OR BODIES POLITIC.

(a) Upon a political corporation or other body politic, by personally serving any of the specified officers, directors, or agents: chairperson or secretary thereof;

1. If the action is against a county, the chairperson of the county board or the county clerk;
2. If against a town, the chairperson or clerk thereof;
3. If against a city, the mayor, city manager or clerk thereof;
4. If against a village, the president or clerk thereof;
5. If against a technical college district, the district board chairperson or secretary thereof;
6. If against a school district or school board, the president or clerk thereof; and
7. If against any other body politic, an officer, director, or managing agent thereof.

(b) In lieu of delivering the copy of the summons to the person specified, the copy may be left in the office of such officer, director or managing agent with the person who is apparently in charge of the office.

(5) DOMESTIC OR FOREIGN CORPORATIONS OR LIMITED LIABILITY COMPANIES, GENERALLY. Upon a domestic or foreign corporation or domestic or foreign limited liability company:

(a) By personally serving the summons upon an officer, director or managing agent of the corporation or limited liability company either within or without this state. In lieu of delivering the copy of the summons to the officer specified, the copy may be left in the office of such officer, director or managing agent with the person who is apparently in charge of the office.

(b) If with reasonable diligence the defendant cannot be served under par. (a), then the summons may be served upon an officer, director or managing agent of the corporation or limited liability company by publication and mailing as provided in sub. (1).

(c) By serving the summons in a manner specified by any other statute upon the defendant or upon an agent authorized by appointment or by law to accept service of the summons for the defendant.

(d) If against any insurer, to any agent of the insurer as defined by s. 628.02. Service upon an agent of the insurer is not valid unless a copy of the summons and proof of service is sent by registered mail to the principal place of business of the insurer within 5 days after service upon the agent. Service upon any insurer may also be made under par. (a).

(6) PARTNERS AND PARTNERSHIPS. A summons shall be served individually upon each general partner known to the plaintiff by service in any manner prescribed in sub. (1), (2) or (5) where the claim sued upon arises out of or relates

to partnership activities within this state sufficient to subject a defendant to personal jurisdiction under s. 801.05 (2) to (10). A judgment rendered under such circumstances is a binding adjudication individually against each partner so served and is a binding adjudication against the partnership as to its assets anywhere.

History: Sup. Ct. Order, 67 Wis. 2d 585, 602 (1975); 1975 c. 218; 1977 c. 339 s. 43; 1979 c. 89, 102, 177; 1983 a. 192 s. 303 (2); 1985 a. 225; Sup. Ct. Order, 130 Wis. 2d xix (1986); 1993 a. 112, 184, 265, 399, 491; 1997 a. 140; 1999 a. 32; 2005 a. 387.

Sexual Assault Education and Prevention Activities for Employees

In accordance with the UW-Whitewater Sexual Assault, Sexual Harassment and Intimate Partner Violence Policy (see above), the University is a community that stands for safe, healthy relationships. As such, it is the policy of the University to foster a campus environment that is free from intimidation and one in which students may be educated to their fullest potential. Therefore, the University will not tolerate rape, sexual assault, dating violence, domestic violence, stalking, and any form of sexual harassment from students, faculty, or staff. The University also encourages reporting of any incident related to these offenses.

The annual and ongoing prevention and awareness programs for faculty and staff to prevent and report dating violence, domestic violence, sexual assault, stalking and to promote campus awareness include a number of educational and program activities, such as Title IX online training programs, campus presentations, updates on the UW-Whitewater Sexual Misconduct Information website, campus announcements from the Chancellor and Title IX Coordinator, and campus-wide webinars. These programs are comprehensive, intentional, and integrated programming, initiatives, and strategies that are thorough and user-friendly. The programs are culturally relevant, inclusive of diverse communities and identities, sustainable, and responsive to community needs. As noted in the course benefits, the Title IX Lawroom online training program is designed to educate employees to recognize sex discrimination, and help employees protect against sexual violence. The program also sends strong messages that sex discrimination and violence are prohibited by the university, and explains the definition of consent and the importance of reporting sex discrimination promptly.

A. The programs directed at new employee training and awareness programs include:

- “Preventing Sexual Harassment” online training by Campus Answers/Workplace Answers, mandated for all new faculty, staff, and university staff (through spring of 2017).
- “Title IX Training” online by Lawroom mandated for all new and current UW-Whitewater employees (started March of 2017 and is ongoing).
- “Preventing Discrimination and Sexual Violence: Title IX, VAWA and Clery Act for Non-Residential Faculty and Staff” online course training by Campus Answers/Workplace Answers for all employees for academic year 2016-2017.
- Title IX Notice of Nondiscrimination posters are available at the informational tables at the Dean of Students and the University Health & Counseling Services at the Annual Involvement Fair at the beginning of the academic year.
- Title IX Notice of Nondiscrimination flyers are included in the benefit packages for Benefit Orientation Programs for new employees
- Presentations at the fall college retreats by the Title IX Coordinator, Deputy Title IX Coordinator, and Wellness Coordinator on the “UW-Whitewater Employee Reporting Mandates.”

B. Campus-wide training on “Title IX & Responding to Sexual Misconduct” was provided to the following colleges and units on campus during 2015-2016:

- Campus-wide two day training on Title IX, Sexual Violence and Investigations
- Faculty Senate
- First Year Faculty Program
- Multicultural Affairs & Student Success
- Student Affairs Leadership Team

- College of Education & Professional Studies Admin Council Meeting
- College of Arts & Communication Admin Council Meeting
- College of Letters & Sciences Admin Council Meeting
- Alumni Relations & Development
- Administrative Affairs Directors
- University Staff Council
- College of Business & Economics
- Academic Staff Assembly
- University Health & Counseling Services
- Facilities Planning & Management
- Marketing & Media Relations
- Special Education Department

C. Sexual Misconduct Information Website

D. "It On Us" video (Marketing & Media Relations)

E. Campus Announcements: Letter from the Chancellor and Title IX Coordinator on Title IX and sexual assault reporting, awareness and prevention at the beginning of the fall and spring semesters each year.

F. Campus Wide Webinars:

- Webinar: Title IX/VAWA & Your First Year Students, Maximize Your Impact During Their First 15 Days & Beyond" Thursday, April 16, 2015, sponsored by PaperClip Communications
- Webinar: Interrupting Violence on Campus: Engaging Men as Allies, Wednesday, June 17, 2015
- Webinar: July 1 VAWA Updates: Our Compliance Audit, June 25, 2015
- Webinar: How to Tackle all Campus SaVE Challenges with Campus Clarity, Tuesday, July 14, 2015 sponsored by Campus Clarity.

The UW-Whitewater Sexual Misconduct Advisory Committee is a standing committee charged with assisting the University in reviewing policies, identifying needs and assessing campus climate on sexual violence and sexual harassment. The Committee also serves in an advisory role for the campus Title IX Coordinator(s). The Committee is represented by the following positions or their designee(s): Senior Women Administrator, Intercollegiate Athletics, Associate Athletic Director, UHCS Wellness Coordinator, Chief of University Police, Faculty Senate Representative, Chief of Institutional Policy and Compliance, Title IX Coordinator, Chair of Women's Studies, Budget Office, UHCS Psychologist & Training Director, Director of Human Resources/Deputy Title IX Coordinator, Associate Director of University Housing, Dean of Students/Deputy Title IX Coordinator, Student Representative, Director of First Year Experience, Associate Director, Career & Leadership Development.

University of Wisconsin-Whitewater Investigation Process

Employees and Third Parties

If a complaint is filed against a UW employee for allegations of sexual assault, sexual harassment, dating/domestic violence, or stalking, the procedures and disciplinary processes under the UW-Whitewater Sexual Assault, Sexual Harassment and Intimate Partner Violence and the appropriate University of Wisconsin System Administrative Codes (UWS 4, 6 or 7 for faculty; UWS 11 and 13 for academic staff; UPS GEN 14 for university staff) shall be followed, in consultant with and direction the Title IX Coordinator.

Sexual Assault Education and Prevention Activities for Students

The University 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 ongoing awareness and prevention campaigns for students that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
3. Defines what behavior and actions constitute consent to sexual activity using the definition of consent found above;
4. Provides 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;
5. 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.
6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Annual and On-Going Awareness and Prevention Activities

UW-Whitewater has developed an annual educational campaign consisting of presentations, workshops, and multi-media campaigns that include distribution of educational materials to new students, and participating in and presenting information and materials during new employee orientation.

The University offered the following primary prevention and awareness programs during the 2018-2019 academic year as follows:

Think About It! Online Training: UW-Whitewater freshman and transfer students were asked to complete the online training program. The program was sent to all students and 62% completed the online training to learn about sexual assault, relationship violence, sexual harassment, and stalking. The program was designed to meet the requirements of the Campus SaVE Act. The training also addresses bystander intervention and responsible alcohol and other drug use.

Sex Signals: First-year students are a special target audience and specific steps are taken to ensure that this group receives the required information. Over 80% of new students attended the Sex Signals program at orientation in the Fall of 2019. The Sex Signals program incorporates improvisation humor, education, and audience interaction to provide a provocative look at dating, sex, stalking, bystander intervention, and consent. At this time, freshman were introduced to several area resources by meeting a UWW Police Officer, a counselor at UWW and an advocate from the Association for the Prevention of Family Violence.

Resident Assistants and Peer Mentors: Two groups of student workers, Resident Assistants and Peer Mentors, receive additional training because they work closely with a large number of students. Approximately 150 Resident Assistants (RAs) and other Residence Life staff participated in an “experiential learning” activity where they were given a scenario regarding sexual assault. University Health and Counseling Services staff were present to provide information and help RAs develop skills to assist students who came to the RA for assistance. All RA’s and Desk Attendants also went through a sexual misconduct training that focused on defining and identifying the various forms of sexual misconduct, and how to appropriately report those incidents. Similarly, 100 Peer Mentors received training on sexual assault, dating violence, bystander intervention and consent. Each freshman seminar class is assigned a Peer Mentor. Peer Mentors also utilized a video that was created by UWW (<https://www.youtube.com/watch?v=YLrUOuPw3KE>).

RA’s each receive a laminated copy of the Resident Assistant Sexual Violence & Harassment Review Tip sheet to keep at their desk to use as a quick reference when faced with responding to a student who needs assistance. At the beginning of the academic year, during the mandatory floor meeting for all first-year student’s RA’s are each given a specific script to read that outlines very clearly how to report any and all incidents of sexual violence and sexual harassment. At the end of the first semester, all RA’s were given a policy quiz to assess their knowledge and response on sexual misconduct situations. Any missed answers were covered and discussed at their next one on one with their supervisor. The Residence Life professional staff assessed if there were any patterns in the questions that were answered wrong in order to modify future trainings accordingly.

Mass Email: All students attending the university received an email that contained links to the sexual misconduct webpage that describes the sexual assault, harassment and stalking definitions and penalties, UW-Whitewater disciplinary process and sanctions, national and campus statistics, victim services, victim rights, self-protection strategies, bystander intervention strategies, location of self-defense courses, phone numbers and web sites for assistance or more information. Also included in the email were contact people in the university to whom students could ask if they had any additional questions. Students received the required information through their campus email address because that is where they receive other essential university information. Students have access to the link throughout the academic year.

University Police Presentations: The University Police presented 85 programs attended by approximately 7876 people within the campus, city, county, regional and state communities. Many of these programs include information about dating violence, domestic violence, sexual assault, and stalking including what to do if an individual is a victim of these crimes and tips on preventing these crimes from occurring (including personal safety, not perpetrating and bystander intervention).

It’s On Us Campaign: The It’s On Us Campaign was again utilized at UW-Whitewater. Whitewater Student Government sold t-shirts, distributed stickers, and used social media to continue the campaign. This helped guide UW-Whitewater community members to the national website and pledge.

'Windows to Whitewater': All new students receive a publication titled 'Windows to Whitewater' that provides information about services on campus. This year, information on safety and survivor resources in relation to sexual assault was included in the 'Windows to Whitewater' publication.

Coalition Against Sexual and Interpersonal Violence (CASIV): CASIV is a student organization of over 12 members that strives to raise awareness through on-campus events and programs. CASIV completes many activities including: sponsoring the annual Take Back the Night program; facilitating presentations on domestic violence; tabling at the University Center; using sidewalk chalk, posters and t-shirts to raise awareness about interpersonal violence.

Sexual Assault Awareness Month: University Health and Counseling Services worked with many groups to promote events during April, which is Sexual Assault Awareness Month. Events were designed to increase awareness and education around interpersonal violence on campus. There was a great deal of information disseminated around Denim Day and Take Back the Night.

Brochures: Brochures on sexual assault definitions and penalties, national and campus statistics, victim services, victim rights, self-protection strategies, bystander intervention, stalking, phone numbers and web sites for assistance or more information were available at several sites around campus throughout the year, at special events and during class presentations.

Sexual Misconduct Website: Throughout the year, extensive information was available on the Sexual Misconduct Information website (www.uww.edu/sexual-misconduct-information), which was advertised in brochures and on posters, laminated cards for team members' offices and display cases at the University Health and Counseling Services and the University Center. Topics on the site include: what to do if you have been assaulted, local and campus resources, statistics, health care options, counseling services available, the role of alcohol and other drugs, behaviors that are considered sexual assault, the law in Wisconsin, legal options – criminal and disciplinary, victim rights, sex offender registry, Wisconsin stalking and harassment laws, advice for friends/family, prevention, suggested readings, links to state and national resources. The search engine on the UW-Whitewater website directs all students looking for information on sexual assault or rape to the Sexual Misconduct Information web page. Additionally, the University Health and Counseling Services Facebook and Twitter accounts are used to post relevant information about accessing resources for sexual assault survivors. This helps to ensure that students will be repeatedly exposed to the information and know how to receive assistance for sexual assault as needed. Additional information is available on the University Health and Counseling Services and University Police websites.

Ways to Reduce the Risk of Being Sexually Assaulted

1. Be aware of what is happening around you. Stay alert. Avoid becoming intoxicated by alcohol or drugs. Know your limits.
2. Decide what you do and do not want to do before getting together with a potential sexual partner. Be ready to communicate this to your partner.
3. Communicate your limits firmly and directly. Don't assume that your partner will automatically know how you feel, or will eventually "get the message" without you having to tell them. Be clear and direct in your communications. If you are unsure of what your partner wants, you have an obligation to clarify before initiating or continuing sexual contact.
4. Respond assertively to any, even minor, acts of sexual harassment or disrespect.
5. Do not leave your drink unattended. Open any beverage container yourself to avoid tampering by another person.
6. Do not allow yourself to be taken into secluded or unfamiliar areas or settings. Always arrange alternate transportation home in case you need it. Let others know where you are going.
7. Trust your instincts and get out of any situation that feels wrong.
8. Do not assume that someone who has been non-violent in the past will never be violent.
9. Don't be afraid of not being liked by someone who won't respect your feelings.
10. Use a buddy system to watch out for each other. Go home with the friends you went out with.

Ways to Avoid Being Accused of Sexual Assault

1. Talk to your partner openly so you can both communicate your wishes and have no misunderstanding. If you aren't comfortable talking openly about your sexual desires and limits, you are not ready to be sexual.
2. Always ask for consent before you touch someone sexually.
3. Assume that "no" means NO. If you are right you have not offended your partner. If you are not, your partner can initiate more sexual contact.
4. Listen Carefully. Take the time to hear what your partner is saying. Be sensitive to that person's feelings. If you feel your partner is not being direct or is giving you a "mixed message", ask for a clarification.
5. Don't make assumptions about your partner's behavior. Don't automatically assume that someone wants to have sex just because they drink heavily, dress provocatively, or agree to go to your room. Don't assume that just because someone has had sex with you previously they are willing to have sex with you again. Also don't assume that just because your partner consents to kissing or other sexual intimacies, they are willing to have sexual intercourse.
6. Don't feel as if you always have to initiate sexual activity. Don't initiate if you don't want to. You don't have to prove your sexuality.
7. Remember that sexual coercion is a crime whether it happens on a partner or at a party or in a dark alley. Getting them drunk is not the same as getting permission. Be aware that having sex with someone who is mentally or physically incapable of giving consent is sexual assault. If you have sex with someone who is drugged, intoxicated, passed out, incapable of saying "NO", or unaware of what is happening around them, that is sexual assault.
8. If you have to pressure your partner or get your partner intoxicated to do it, don't do it. Submission is not consent. Consent is active not passive. Any sexual contact without consent is against the law in Wisconsin.
9. Do not exploit or sexually harass others with humor, threats or embarrassing comments.
10. Be especially careful in group situations. Be prepared to resist pressure from friends to participate in violent or non-consensual sexual acts, or gang up on an individual.

Remember that just because someone doesn't want to have sex with you, that doesn't mean there is something wrong with you. There can be many reasons for not wanting to have sex. It is your choice!

Alcohol & Other Drug Intervention

Early identification and treatment of substance abuse is in the best interest of the university, students, and employees. Students who have concerns with alcohol or other drug use are encouraged to contact the AODA Counselor for an assessment and/or a referral to counseling or treatment programs. **Please note: UHCS does not provide court-related assessments or treatment.

The University provides a variety of services for students, including consultation, assessment, counseling and referrals. It provides and distributes guidelines and information about the university's alcohol and other drug use policy, state and federal laws and penalties for violation, and information about risks from misusing alcohol and other drugs. Voluntary contacts with the AODA Counselor remain strictly confidential. The UW-Whitewater AODA Counselor may be reached at the University Health & Counseling Services by calling 262-472-1305. University Health and Counseling Services also has available educational programs, pamphlets and posters on a wide variety of issues related to alcohol and other drug use. Many items are free of charge and may be obtained by contacting the AODA Educator at 262-472-1305.

Employees who need assistance can access the state EAP program provided by FEI. Employees can visit www.feieap.com (username: SOWI) or call Human Resources at 262-472-1024.

The Wisconsin Department of Health Services provides contact information for County Human Service Departments that provide substance abuse treatment resources. To view the list of departments visit, <http://www.dhs.wisconsin.gov/substabuse/>

Effects of Alcohol and Other Drug Abuse

The abuse of alcohol and use of other illegal drugs can be detrimental to the health of the user. Further, the use of drugs and alcohol is not conducive to an academic atmosphere. Drug use can 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 identification and treatment of drug and alcohol abuse is in the best interests of the student, employee and the university.

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, activities of the user, presence of other people, simultaneous use of other drugs), and the manner in which the drug is taken. The list below identifies some effects experienced by those who use the substance described. Not all legal or illegal drugs are covered in this brief section.

Alcohol: Effects may include loss of inhibition and judgment, increased hostility and aggression, depression of the central nervous system, loss of motor coordination, speech and vision, slowed or stopped respiration and heart rate, tolerance and addiction, malnutrition, cirrhosis of the liver and death.

Marijuana and Hashish: Effects may include euphoria, slowed thinking and reaction time, confusion, impaired balance and coordination, cough, frequent respiratory infections, impaired memory and learning, increased heart rate, anxiety, panic attacks, tolerance and addiction. Recent studies indicate that marijuana and hashish do carry the potential for addiction, contrary to popular belief.

Hallucinogens: Effects may include altered states of perception and feeling, nausea, chronic mental health disorders and persisting perception disorder (flashbacks).

Opioids: Effects may include pain relief, euphoria, drowsiness, respiratory depression and arrest, nausea, confusion, constipation, sedation, unconsciousness, coma, tolerance and addiction.

Stimulants: Effects may include increased heart rate, increased blood pressure, increased metabolism, feelings of exhilaration, energy, increased mental alertness, rapid or irregular heartbeat, reduced appetite, weight loss and heart failure, and dependency. Additionally, for **nicotine**, effects may include tolerance, addiction, adverse pregnancy outcomes, chronic lung disease, cardiovascular disease, stroke and cancer.

Anabolic Steroids: Effects may include hypertension, blood clotting and cholesterol changes, liver cysts and cancer, kidney cancer, hostility and aggression, acne; in adolescents: premature stoppage of growth; in males: prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females: menstrual irregularities, development of beard and other masculine characteristics. There are no intoxication effects.

UW-Whitewater Smoking Policy

Smoking is prohibited in ALL buildings on the UW-Whitewater campus. Smoking in faculty offices and University vehicles is also prohibited under this policy. To mitigate the established health risks associated with exposure to second-hand smoke, UW-Whitewater also prohibits smoking within 25 feet of all building entrances, air intakes, operable windows or other designated areas.

Warhawk Stadium Smoke Free Policy

The University of Wisconsin-Whitewater's Warhawk stadium does not allow smoking in the general stadium or press box area.

University Standards of Conduct and Sanctions

The University of Wisconsin System and University of Wisconsin-Whitewater prohibit unlawful possession, use, distribution, manufacture or dispensing of illicit drugs or alcohol by students and employees on university property or as part of university activities.

The use or possession of alcoholic beverages is prohibited on university premises, except in faculty and staff housing and as expressly permitted by the Chancellor or under institutional regulations, in accordance with UWS 18.09(1), Wis. Adm. Code.

The unlawful use possession, distribution, manufacture or dispensing of marijuana is prohibited in accordance with 8. UWS 18.10, Wis. Adm. Code.

Violation of these provisions by a student or employee may lead to imposition of a disciplinary sanction. In addition, violators could face possible legal sanctions resulting from civil or criminal actions. Costs related to AOD offenses may include fines, loss of driver's license, jail terms and public embarrassment. AOD offenses may also affect a person's employability, or the ability to enter a licensed profession or bonding for employment.

Students

Violation of AOD policy by a student may lead to the imposition of a disciplinary sanction, up to and including suspension or expulsion under s. UWS 17.10, Wis. Admin. Code. Violations of the Alcohol and Student Conduct policies will be adjudicated as consistent with Student Non-academic Disciplinary Procedures (Chapter UWS 17). Sanctions may include:

- mandatory alcohol/drug assessment and counseling
- probation
- suspension or expulsion from the university
- community service, classes and other educational sanctions

Employees

University employees are also subject to disciplinary sanctions, up to, and including, termination from employment, for violation of these provisions occurring on university property or the worksite or during work time. Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, as set forth in Wisconsin statutes, administrative rules, faculty and academic staff policies, and collective bargaining agreements. Referral for prosecution under criminal law is also possible. Violations of ss. UWS 18.09, Wis. Adm. Code may result in additional penalties as allowed under ch. UWS 18, Wis. Adm. Code.

Employees who are convicted of any criminal drug statute violation occurring in the workplace must notify their dean, director or departmental chair within 5 days of the conviction if the employees are employed by the university at the time of the conviction.

Legal Penalties & Sanctions

Wisconsin and federal laws governing alcohol and illicit drugs to which students, faculty and staff are subject, include, but are not limited to those listed below:

1. Alcohol
 - a. Wisconsin's *Not A Drop Law*, Wis. Stat. 346.63 (2m), which states that a person who has not attained the age of 21 may not drive with a blood alcohol concentration of more than 0.0%
 - b. Wisconsin's Drinking Age laws
 - c. Wisconsin's Operating While Under the Influence (OWI) laws
 - d. Wisconsin Administrative Code Chapter 18
2. Illicit Drugs
 - a. Wisconsin Illicit Drug Laws, the Uniform Controlled Substances Act, Wis. Stat. 961.
 - b. Federal Illicit Drug Laws dealing with possession and distribution and penalties for violation.

State of Wisconsin

The Uniform Controlled Substance Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and outlines specific penalties for the violation of the regulations. A person convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with the intent to manufacture or deliver, faces a number of penalties. 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. See Section 961.41 Stats.

Regarding alcohol use, Wisconsin has formidable legal sanctions:

No person may procure for, sell, dispense or give away any alcohol beverages to any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age. See Section 125.07(1)(a)(1), Stats.

No adult may knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on premises owned by the adult or under the adult's control. Section 125.07(1)(a)(3), Stats.

Depending on the factors involved in violating this policy, the penalties may vary from a fine of no more than \$500 to fines of \$10,000 and/or imprisonment.

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, or, unless accompanied by a parent, guardian or spouse who has attained the legal drinking age, possess or consume alcohol beverages on licensed premises. A variety of situations involving consumption of an alcoholic beverage by an underage person is also addressed in this statute. See Section 125.07(4), Stats.

A first-time violator of Section 125.07(4) can be fined up to \$500, ordered to participate in a supervised work program and have his or her driver's license suspended.

To access the Wisconsin statutes online, go to <http://www.legis.state.wi.us/rsb/stats.html> and enter statute 961.41 in the form for statutes related to controlled substances, 125.07 for alcohol related statutes and 346.63 for statutes related to operating a motor vehicle under the influence.

Federal Illicit Drug Laws

These laws prohibit the use, possession, distribution, manufacture or dispensing of controlled substances. Distribution of even a small amount of marijuana can mean years in prison and large fines on first offense. Other penalties under federal law include forfeiture of property, denial of federal benefits (student loans, grants and public housing) and revocation of certain federal licenses.

Several examples of the federal law that may apply to UW-Whitewater students and/or staff are listed below. Please keep in mind that statutes are regularly amended and this listing should not be used instead of seeking legal advice but may serve as a general indication of the seriousness of drug and alcohol law violations.

Controlled Substances Act:

Section 844. Penalty for simple possession

It shall be unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by this title or title III. Any person who violates this subsection may be sentenced to a term of imprisonment of not more than 1 year, and shall be fined a minimum of \$ 1,000, or both, except that if he commits such offense after a prior conviction under this title or title III, or a prior conviction for any drug or narcotic offense chargeable under the law of any State, has become final, he shall be sentenced to a term of imprisonment for not less than 15 days but not more than 2 years, and shall be fined a minimum of \$ 2,500, except, further, that if he commits such offense after two or more prior convictions under this title or title III, or two or more prior convictions for any drug or narcotic offense chargeable under the law of any State, or a combination of two or more such offenses have become final, he shall be sentenced to a term of imprisonment for not less than 90 days but not more than 3 years, and shall be fined a minimum of \$ 5,000. Notwithstanding the preceding sentence, a person convicted under this subsection for the possession of a mixture or substance which contains cocaine base shall be imprisoned not less than 5 years and not more than 20 years, and fined a minimum of \$ 1,000, if the conviction is a first conviction under this subsection and the amount of the mixture or substance exceeds 5 grams, if the conviction is after a prior conviction for the possession of such a mixture or substance under this subsection becomes final and the amount of the mixture or substance exceeds 3 grams, or if the conviction is after 2 or more prior convictions for the possession of such a mixture or substance under this subsection become final and the amount of the mixture or substance exceeds 1 gram. The imposition or execution of a minimum sentence required to be imposed under this subsection shall not be suspended or deferred. Further, upon conviction, a person who violates this subsection shall be fined the reasonable costs of the investigation and prosecution of the offense, including the costs of prosecution of an offense as defined in sections 1918 and 1920 of title 28, United States Code, except that this sentence shall not apply and a fine under this section need not be imposed if the court determines under the provision of title 18 that the defendant lacks the ability to pay.

Section 859. Distribution to persons under age twenty-one

(a) First offense. Except as provided in section 419 [19 USCS Section 860], any person at least eighteen years of age who violates section 401(a)(1) [21 USCS Section 841(a)(1)] by distributing a controlled substance to a person under twenty-one years of age is (except as provided in subsection (b)) subject to (1) twice the maximum punishment authorized by section 401(b) [21 USCS Section 841(b)], and (2) at least twice any term of supervised release authorized by section 401(b) [21 USCS Section 841(b)], for a first offense involving the same controlled substance and schedule. Except to the extent a greater minimum sentence is otherwise provided by section 401(b) [21 USCS Section 841(b)], a term of imprisonment under this subsection shall be not less than one year. The mandatory minimum sentencing provisions of this subsection shall not apply to offenses involving 5 grams or less of marijuana.

(b) Second offense. Except as provided in section 419 [19 USCS Section 860], any person at least eighteen years of age who violates section 401(a)(1) [21 USCS Section 841(a)(1)] by distributing a controlled substance to a person under twenty-one years of age after a prior conviction under subsection (a) of this section (or under section 303(b)(2) of the Federal Food, Drug, and Cosmetic Act as in effect prior to the effective date of section 701(b) of this Act) has

become final, is subject to (1) three times the maximum punishment authorized by section 401(b) [21 USCS Section 841(b)], and (2) at least three times any special parole term authorized by section 401(b) [21 USCS Section 841(b)], for a second or subsequent offense involving the same controlled substance and schedule. Except to the extent a greater minimum sentence is otherwise provided by section 401(b) [21 USCS Section 841(b)], a term of imprisonment under this subsection shall be not less than one year. Penalties for third and subsequent convictions shall be governed by section 401(b)(1)(A) [21 USCS Section 841(b)(1)(A)].

Section 863. Drug paraphernalia

1. It is unlawful for any person-
 - A. To sell or offer for sale paraphernalia;
 - B. To use the mails or any other facility of interstate commerce to transport drug paraphernalia; or
 - C. To import or export drug paraphernalia
2. Anyone convicted of an offense under subsection (a) of this section shall be imprisoned for not more than three years and fined under title 18, United States code.
3. Any drug paraphernalia involved in any violation of subsection (a) of this section shall be subject to seizure and forfeiture upon the conviction of a person for such violation. Any such paraphernalia shall be delivered to the Administrator of General Services, General Services Administration, who may order such paraphernalia destroyed or may authorize its use for law enforcement or educational purposes by Federal, State, or local authorities.

For additional details about Federal illicit drug laws, visit:

U.S. Drug Enforcement Agency
<http://www.dea.gov>

U.S. Department of Justice (for table of penalties and information on drugs)
<http://www.usdoj.gov/dea/pubs/csa.html>

Federal Financial Aid Penalties for Drug Violations

Federal guidelines focus most strongly on illicit drug use and distribution. The 1998 Campus Security Act says that students convicted for an illicit drug violation can be denied financial aid support for a specific period, in addition to other legal penalties.

Everyone must answer Question 23 on the FAFSA, "Have you been convicted for the possession or sale of illegal drugs for an offense that occurred while you were receiving federal student aid (such as grants, loans, and work-study).

- Generally, if you have been convicted for the possession or sale of illegal drugs for an offense that occurred while you were receiving federal student aid, you will be ineligible for a period of time based on the type and number of convictions. If you answer "Yes" to this question, it is very important that you complete and submit the FAFSA to determine your eligibility. If you are submitting a paper FAFSA, you will be mailed a worksheet to assist you in determining whether your conviction affects your eligibility for federal student aid. If you are applying using FAFSA on the Web at www.fafsa.ed.gov, you will be provided the electronic version of the same worksheet during your online session. If you need assistance or have any questions on how to answer Question 23, call 1-800-4-FED-AID (1-800-433-3243) for help from the Federal Student Aid Information Center.
- You have limited eligibility for federal student aid while you're incarcerated.

Even if you're ineligible for federal student aid because of a drug conviction, you should still complete the FAFSA because most schools and states use FAFSA information to award nonfederal aid.

Campus Sanctions

The following four-step Alcohol & Marijuana Policy Sanctioning Guide is used by three Student Affairs departments that hear cases for conduct violations related to illegal alcohol use: the Dean of Students Office, the University Housing and Intercollegiate Athletics.

This standardized sanction model for alcohol and drug violations was endorsed by the Higher Education Center for Alcohol and Drug Abuse at the time of its inception several years ago. The four steps provide intentional interventions for students involved in multiple alcohol policy violations. The steps also ensure students are aware of the policy and its consequences should they have any subsequent violations, by requiring them to sign a statement of understanding with each violation.

Parents with students under the age of 21 are notified with each alcohol policy violation, typically by letter, but may also be informed by phone or in-person depending on the severity of the incident. Parents are informed by phone for all cases of medical transport to the hospital due to alcohol or drug intoxication. With UWS Chapter 17 violations, parents are notified after the student meets with a hearing officer for their disciplinary conference. At this time, the student can express extenuating circumstances as to why parental notification should not take place; in rare cases, parental notification may be stayed.

First Alcohol / Marijuana Related Policy Violation

- Online alcohol education course (cost of \$35.00)
Under The Influence – Dean of Students Office & Athletics
Alcohol Response-Ability –University Housing
Marijuana 101 – Dean of Students Office, Athletics & University Housing
- Disciplinary probation for a minimum of one year
- Signed statement of understanding of conduct policy & consequences of future violations

Second Alcohol / Marijuana Related Policy Violation

- Mandated participation in alcohol brief screening & education course (cost of \$100)
Alcohol Awareness Workshop – Dean of Students Office & Athletics
Marijuana Awareness Workshop – Dean of Students Office/Winther Lab
Choices @ Winther Counseling Lab –University Housing
- Extended disciplinary probation
- Signed statement of understanding of conduct policy & consequences of future violations
- Residence hall relocation and/or ban likely if incident occurred in residence hall

Third Alcohol / Marijuana Related Policy Violation

- Alcohol & Other Drug Use Assessment (cost of \$150*)
- Extended disciplinary probation
- Signed statement of understanding of conduct policy & consequences of future

violations

- Residence hall contract cancellation and/or ban, if incident occurred in a residence hall
- 8-10 page paper on responsibility, life choices, possibility of suspension

Fourth Alcohol / Marijuana Related Policy Violation

- Suspension from the University for a period of one semester to two years

**\$150 charge for an AODA assessment began the 2015-2016 academic year*

Supplemental Policies That Address Alcohol Use

There are several supplemental policies on our campus which address alcohol use as they relate to specific offices or events. These policies fall under the jurisdiction of the larger campus alcohol policy and target specific campus environments (e.g. residence halls or the University Center) or populations (e.g. student athletes).

The *University Housing Alcohol and Drug Policies* list guidelines for the appropriate use of alcohol within the University residence halls. These policies ban the use of alcohol by of-age residents in common area spaces and at residence hall events. The policies also address inappropriate behavior while intoxicated, kegs and alcohol paraphernalia. These policies are available on the University Housing website at the following web address: <http://www.uww.edu/housing/policies>. Resident Assistants review the policies with students at the beginning of the fall and spring semesters in community meetings.

The Office of Intercollegiate Athletics Student Athlete Handbook addresses the impact of substance use on student athletes' personal lives and athletic performance with its Alcohol, Tobacco and Drug Use Policies. The policies also address drug testing and the NCAA's banned substance list. These policies are available to students in the online version of the *Student Athlete Handbook* at the following web address:–

https://uwwsports.com/documents/2018/8/21//Updated_Student_Athlete_Handbook_Draft.pdf?id=6141. These policies are also explained to student athletes in person at the All Sports Meeting, which is held at the beginning of each year.

Policies specific to substance use and Student Organizations and the *Student Organization Conduct Policy* are included in the online version of the Student Handbook at the following web address: http://www.uww.edu/handbook/student/policies_organization.html These policies directly prohibit all forms of hazing, illegal drug use and “dangerous or excessive use of alcohol or drinking games.

The University Special Event Policy addresses alcohol issues as they relate to campus events hosted by student organizations. This policy bans backpacks, large bags and open containers, which helps prevent illegal alcohol from entering the premises. The policy also required trained Campus Service Officer supervision at all larger events. Finally, this policy also states that the University reserves the right to refuse admission, eject an intoxicated person, shut down an event, refer information to Student Conduct Administration or restrict future use of University facilities by department or organization.

Finally, the *Alcohol Beverage Policy*, which is included in the University Handbook dictates how alcohol may be used on campus and the regulations which must be followed if it is served. The web address for this policy is <http://www.uww.edu/policies/alcohol-beverage-policy>. All events which seek to serve alcohol must be approved by the Chancellor or his/her representative and must be provided by the University Food Service Contractor. This policy also addresses appropriate tailgating on campus and where this activity is permitted.

Alcohol and Drug Education & Prevention Activities

Interventions that Target Individuals

Student Conduct Process

As described above in relation to the University Alcohol Policy Sanctioning Guide, UW-Whitewater's student conduct process is designed with several intentional educational steps in place to provide opportunities for student learning and growth related to alcohol use. The individual components of the sanctioning guide are discussed in detail later in this section, including online education programs, brief motivational interventions and alcohol and drug counseling resources.

After each alcohol incident occurs, students are invited, though not required, to attend face-to-face meetings with conduct administrator(s) who facilitate a conversation about the students' involvement. Through these conversations student conduct administrators address the student's motivations for their actions, their decision-making process and their behaviors impact on the larger campus or local community. These meetings are used to educate students about the University Alcohol Policy, reinforce community expectations and encourage students to make use of available campus resources that may assist them, such as the University Health and Counseling Services (UHCS).

Mandatory Online Education Programs (Alcohol-Responsibility & Under the Influence)

All students found in violation of a first alcohol offense participate in a mandatory online alcohol education program. Our campus uses two Internet based alcohol programs depending on the office where the violation originates. The Dean of Students Office and Athletics use *Under the Influence*, a 3rd Millennium Classrooms program, and the University Housing uses *Alcohol-Responsibility*, a BACCHUS program. Both online education programs use step-by-step modules to educate users about the effects of alcohol on the body and brain, social problems associated with alcohol use on campus, alcohol safety information, and personal and legal consequences related to alcohol use. These programs also provide personalized feedback about each user's typical drinking behavior and how it compares with national averages, illustrating that high-risk use is not the norm among college students (norms clarification) though students most often believe it is. Finally, the two programs also offer suggestions for "safer drinking behavior" and strategies the participant can employ for reducing alcohol use. Conduct administrators receive notification when the students have completed the program so there is accountability for completion of the education programs.

Brief Intervention & Education Programs

All students found in violation of a second alcohol offense participate in mandatory in-person alcohol education classes that last approximately 4-6 hours in length. The Office of Residence Life uses the *Choices* program, an individual brief-intervention and alcohol skills training program administered by counseling students at the Winther Counseling Lab. The Dean of Students Office and Intercollegiate Athletics uses a program called the *Alcohol Awareness Workshop*, a hybrid individual and group brief-intervention and alcohol skills training program facilitated by the Dean of Students Office. Both programs engage students in conversation about their alcohol use via motivational enhancement techniques, provide individualized feedback about their use compared with campus normative data, and encourage students to make safer choices about their alcohol use. Additionally, the Alcohol Awareness program uses group process activities to engage small groups of students in conversation about the campus alcohol climate, teaches techniques to avoid peer pressure and provides support for developing alcohol-free social or personal interests.

AODA Evaluation at University Health & Counseling Services

All students found in violation of a third alcohol offense or who are transported to the hospital for acute intoxication are required to participate in a mandatory 2-3 session evaluation with the AODA Counselor in the University Health and Counseling Services. The AODA Counselor asks students many direct questions about their use of alcohol and the conduct incident that has brought them to UHCS for an evaluation. At the end of the evaluation process, the AODA Counselor makes recommendations for continued care if appropriate. Conduct students are mandated to complete the evaluation but are not required to attend additional counseling or treatment even if recommended. The AODA Counselor is willing to maintain a therapeutic relationship with students after the initial evaluation should the students desire to do so. The cost of this evaluation is \$150, which is charged directly to the student's account.

Counseling for AODA Concerns

The AODA counselor also offers voluntary counseling for students who have alcohol and drug concerns. Students may contact UHCS to schedule an appointment for AODA concerns and have access to meet with the counselor at no cost. The AODA Counselor is qualified to make referrals to outside organizations that provide AODA treatment services ranging from extended outpatient care in the community to inpatient substance abuse options.

Alcoholics Anonymous & Narcotics Anonymous Group

A community-based Alcoholics Anonymous group meets weekly during the academic year, as well as over the summer to offer additional support for students. Alcoholic Anonymous meeting times and locations can be found at www.area75.org. Narcotics Anonymous meeting times can be found at www.badgerlandna.org

Programs that Target the Student Body

New Student/Parent Orientation

The University Police Department presents to guest and family members at Warhawk SOAR (student orientation, advising, and registration days). The topics covered include the following:

- University Police resources and services,
- general information about how University Police manages underage alcohol violations including a general “warning” about alcohol use,
- an introduction to the Alcohol Diversion Program, and the medical amnesty policy.
- presentation by speaker Keith Edwards on *Creating a Culture of Consent* which covers responsible alcohol consumption

New Student Seminar University Police Department Presentation

All students enrolled in New Student Seminar are required to attend a one-hour presentation facilitated by the University Police department. The topics covered include the following:

- University Police resources and services,
- Alcohol and drug
- Sexual assault prevention and resources
- an introduction to the Alcohol Diversion Program,
- medical amnesty policy
- emergency procedures (i.e., tornado, active shooter, etc.)
- Informacast (emergency notification system)

Campus Clarity: “Think About It” Online Training

Per UW System, UW-W students are required to complete this sexual assault prevention training. This training also covers responsible alcohol and drug use, bystander intervention, UW-Whitewater AODA policies and support resources. New students take a three hour training and continuing students take thirty minute refresher training. For the 19-20 academic year we had a 98.3% completion rate for all students, of which we had 97.1% for new students and 99% for continuing students.

AODA Education Programs & Outreach Events

Various departments on campus were involved in several proactive campus-wide AODA education programs. The following descriptions summarize the prevention activities coordinated UHCS, University Housing, Greek organizations. These programs were educational in nature and were offered to the entire student body, in most cases.

University Housing AOD Education Programs

Each semester, the University Housing requires the live-in staff of each residence hall building to host an alcohol education program. Each building is required to plan an in-hall event that addresses the issue of alcohol use, the policy/legal consequences of underage drinking and/or

alcohol safety information. Each hall has the freedom to address the topic in the manner they believe best suits their living environment. Each building is provided with a budget to host the programs. Many hall staff choose to invite the University Police and/or the UHCS Wellness Staff to help address the topic. In addition, the University Housing AODA Peer Educator program is led by a group of students who present programs in the residence halls on the topics of substance abuse. The programs are designed to raise awareness and to promote understanding about substance use in the community, create an environment for discussion, provide current information, and to break down myths and misconceptions about substance use.

2018-19 Programming included:

- 13 AODA programs
- RAgers: alcohol education program collaboration with University Police
- Monday Night Happy Hour: alcohol education program collaboration with University Police
- Let's be Blunt about Marijuana: Marijuana facts and legality
- BigeBoo Bash: halloween themed alcohol awareness program
- Jitters House Party: alcohol education program collaboration with University Police
- Alcohol Awareness for Spring Splash
- Mario, You're Drunk. Go home.: alcohol education program

Wellness Summit

Every fall UHCS hosts a campus-wide Wellness Summit in collaboration with various on and off campus departments and organizations. This event addresses personal wellness from a holistic perspective including mind, body and spirit. AOD education and prevention has been a component of this fair each time it is hosted. Passive education materials were distributed that addressed alcohol, drug use and substance abuse in college, in addition to hands-on activities.

Safe Spring Break Campaign

UHCS hosts a safe spring break program prior to Spring Break each year. The program includes tabling in the University Center as well as workshops and fun games about making safe choices on Spring break. Activity topics included consent, safe sex, alcohol drink size, drunk driving, and harm reduction strategies.

Spring Splash Alternative Programming

Spring Splash is a student-driven, non-university sponsored drinking event held off-campus every April. To encourage students to make healthier choices, campus increased marketing efforts to promote non-drinking activities and events happening on campus and in the community. Campus social media campaigns also highlighted harm reduction strategies, legal consequences, and social norms.

Greek Life Alcohol Education Programs

Each semester the campus Panhellenic Council and Inter-fraternity Council are required to co-sponsor a mandatory alcohol education program for their members. These programs range from national speakers on substance abuse to other lower cost options like alcohol trivia. The Education Chairs and Presidents from each of these organizations collaborate to sponsor and plan these events, often with the assistance of UHCS Staff.

University Police AODA Related Programs

Throughout the course of each academic year, the University Police host a variety of alcohol and drug prevention events. The majority of these events focus on the legal repercussions of underage alcohol use, risks to personal safety related to alcohol misuse and basic educational information about different types of drugs for those who may not be familiar.

Kick Butts Day & Great American Smokeout

Every semester, UHCS partners with a health communications class to sponsor activities for these national events. Activities such as tabling trivia and quit kits giveaways were used to encourage students to quit smoking or prevent the onset of smoking.

AODA Focused Classroom Presentations

Many courses on campus include drug and alcohol information in their curriculum. There are several courses that specifically address the topic from a prevention and education standpoint with the goal of encouraging students (especially first-year students) to consider how alcohol and drugs may adversely affect their college experience.

Warhawks Step Up: Bystander Intervention Workshops

UHCS facilitates these workshops to encourage students to intervene in unsafe situations like alcohol poisoning or related violence. UHCS facilitated seven workshops for various classes, residence halls, and student organizations. Participants received shirts with motivational messaging.

New Student Seminar

The New Student Seminar is a Fall one-credit course that 93% of new students complete. All students in NSS attend a campus police session where AODA is addressed. The majority of instructors also request presentations from UHCS where additional education is provided on AOD harm reduction.

Personal Health & Fitness

The Personal Health and Fitness course is a one-credit Physical Education course taken by many first year students to satisfy a general education requirement. This course focuses on the importance of maintaining a healthy lifestyle and a positive sense of wellbeing. Instructors traditionally present a unit on alcohol and drug prevention, largely focused on the physical effects on the body.

University Police Drug Presentations

By request, University Police officers will provide classroom presentations about drugs using their drug kit. Officers bring a kit to the classroom with examples of different types of drugs

and cover these with the students, focusing on basic educational information, negative effects of using these drugs and potential legal repercussions of use.

Passive AODA Education Materials & Publications

UHCS have a variety of passive alcohol, drug and tobacco education materials in the form of pamphlets, posters, blood alcohol calculators and giveaways (e.g. signs of alcohol poisoning magnets). Staff distributes these materials in various settings such as programs, events, classroom presentations, and resource fairs. These materials are also available to faculty or staff members upon request.

AODA Training for Student Leaders

Resident Assistants (RAs)

As student leaders who have the most day-to-day contact with their peers on campus, Resident Assistants receive training that prepares them for responding to alcohol and drug policy violations as well as acute intoxication. During the fall Resident Assistant Training, all staff members experience a developmental session called “Confessions of an RA” which is modeled off an educational video called “Confessions of an RA” that was created by the BACCHUS GAMMA national non-profit organization. This program addresses alcohol misuse, acute intoxication and talking with their residents about problematic alcohol use. Residence Life professional staff members present current AODA statistics about UW-Whitewater to the RA staff to give them an idea of what actual use is like on campus and the type of problems or policy violations they may encounter.

Additionally, RAs participate in a mock confrontation role play exercise called *Behind Closed Doors* which requires staff members to address simulated alcohol or drug violations. RAs receive feedback and instruction from UHCS professional staff and counselors about how to approach simple alcohol violations, parties and acute intoxication. Also, UHCS Staff participates in the Residence Life Campus Resource Fair to answer questions and provide AODA pamphlets and literature.

Peer Mentors

As student leaders who have a direct impact on first-year and transfer students, the Peer Mentors also receive training about how to address alcohol and drug issues among their student mentees. The police department and UHCS facilitate training on how staff should respond when new students turn to staff with AODA concerns. Over 100 peer mentors are trained every August.

Event Crew Members

University Police and James R. Connor University Center staff members collaborate to provide training for student event crew members each fall and spring semester. Event crew members are informed of the University Special Event Policy and the campus Alcohol Policy. They are training to spot students who are highly intoxicated and when to call for help related to acute intoxication or unruly behavior.

Student Athletes

All NCAA student athletes are introduced to the Athletics Alcohol and Drug policy at the All-Sports Meeting hosted by the Director of Intercollegiate Athletics, Assistant Director of Intercollegiate Athletics and all team coaches. Student athletes are informed of the stringent expectations about alcohol and drug use as well as the potential physical effects of substance use on an athlete's body. All athletes also participate in the Warhawk Leadership Academy which includes sessions on mental health, wellness, and campus resources during students' first and third year on campus.

Alcohol-Free Alternative Events

UW-Whitewater hosts a variety of opportunities for involvement on campus from student organizations and residence hall events to community service and intramural athletics. The campus specifically hosts and promotes many low or no-cost alcohol-free events during the week and on weekends. The University Center hosts a movie every Thursday (10pm), Friday (7 & 10pm) and Saturday night (7pm). Movies cost only \$1 and are available to all students and staff who wish to attend. The UC also hosts an alcohol-free alternative social event at 8pm every Thursday, the traditional "party night" on the UW-Whitewater campus. These free and low-cost events vary but often include comedians, concerts, bingo, trivia, etc.

The Warhawk Alley is another alcohol-free alternative social setting housed on the first floor of the James R. Connor University Center. Bowling, pool, darts, air hockey and video games are all available for student use at a low cost. The Warhawk Alley maintains late hours (Sunday-Wednesday until 12am, Thursday-Saturday until 1am) so that students will have a viable campus late-night alternative to drinking or attending off-campus parties. Special rates are offered on specific days of the week and all activities cost less than \$5.00.

Finally, the Esker Dining Center, Drumlin Dining Center and James R. Connor University Center *Down Under* all maintain late-night retail food operations until 2am, giving students an alternative location for late night gatherings.

Prevention Strategies that Target the Institution & Surrounding Community

Substance Free Housing Options

University Housing has designated four substance-free floors where residents have committed to maintaining an alcohol and drug free living environment. Students indicate their desire to live on a substance-free floor when they apply for housing and sign a contract agreeing that they will comply with the substance-free commitment. There are additional wellness, health or alcohol/drug free-centered events in these communities beyond what is offered for all residence hall students. Fischer Hall is designated as the Wellness Hall therefore programming is provided in this building to promote wellness, sobriety, and clean living.

Alcohol and Other Drug Abuse Coalition

An AODA Prevention Coalition has existed on campus in some form since the mid-1990s. The current coalition is composed of campus faculty, staff, and students, convened to discuss current alcohol and drug issues at UW-Whitewater. The group holds monthly meetings and is chaired by the AODA Educator.

UW-System AODA Coordinators Group and Symposium

The AODA Educator is a member of a statewide UW System group of campus coordinators for AODA prevention. Members meet for a teleconference every month during the academic year. This group maintains active communication via email listserv to share resources and information about their respective prevention programs.

University Police Impaired Driving Grants & DOT Mobilizations

During each academic year the University Police participated in three Wisconsin Department of Transportation (DOT) "Drive Sober or Get Pulled Over" drunk driving traffic mobilization campaigns. University Police distributed educational materials related to drunk driving that were made available by the Wisconsin DOT.

Spark Grant

UW-Whitewater also received an American Lung Association- Spark grant to address tobacco education, cessation, and creating a tobacco-free campus policy. The grant supports capacity-building, student incentives, and stipends for student peer educators.

AODA Assessment

National College Health Assessment 2018

Every three years UW-Whitewater participates in the National College Health Assessment (NCHA), a national survey instrument that asks student participants many questions about their overall physical and mental health. The survey includes information about alcohol and drug use. These survey results serve as another valuable source of information about UW-Whitewater student alcohol and drug use. The survey includes comparison to the national NCHA averages from other campuses that participate in the survey.

Notification Procedure for Missing On-Campus Housing Students

Reports regarding any student living in on-campus housing who appears to be missing must be referred immediately to the UW-Whitewater University Police Department at phone number 911 or 262-472-4660. Students living in on-campus housing are encouraged to identify a contact person or persons whom the University will attempt to notify within 24 hours if the student is determined by the University Police to be missing for the prior 24 hour period. Only authorized campus officials and law enforcement responsible for the missing person investigation may have access to this information. Students will be asked to list these individuals as an emergency contact during the check-in process and will be allowed to do so online. Student's contact information will be registered confidentially and will only be accessible to authorized campus officials and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. The student will be able to make any desired changes to their contact information online throughout the year. It is the policy of University Housing to involve and turn over all related information and reports to University Police in all missing persons cases. In addition to any student-designated contact person, if the student is under 18 years of age and not emancipated, the University will notify a custodial parent or guardian within 24 hours of when the student is determined to be missing.

When it is reported that a student is missing for 24 hours University Housing will follow the following procedures:

- Immediately notify University Police
- After notifying the University Police, notify the Associate Director of University Housing.
- Make contact with roommate and ask other peers on the floor about information they may have.
- Utilize technology such as social networking sites and electronic access reports from student ID to attempt to identify student's recent whereabouts.

UW-Whitewater Annual Fire Safety Report

Fire-Safety Report Notification Procedure for On-Campus Housing Students

1. **Fire Drills:** University Housing conducted thirteen fire drills, one in each residence hall, during the 2015 calendar year.
2. **Policies:**
 - a) **Equipment and electrical appliances.** Use of electrical appliances such as toasters, frying pans, sandwich grills, George Foreman-like indoor-grills, hot plates, waffle irons, or other cooking devices are prohibited in areas other than residence hall or suite kitchens because of fire safety regulations. Small coffee pots are permitted in rooms. Use of halogen lights, floor lamps with plastic shades, and space heaters not provided by the University are also prohibited. All power strips, extension cords and adapters must be UL approved and due to fire risk, only one power strip, extension cord or adapter may be used per outlet. University Housing reserves the right to remove any unauthorized or dangerous electrical appliances. Refrigerators are permitted in student rooms, but may not exceed 4.2 cubic feet. Microwave conventional ovens are permitted, but may not exceed 900 watts. Air conditioners must be provided by University Housing. University-provided microwave/pizza ovens are allowed in kitchens of Starin suites only.
 - b) **Flammable materials/explosives.** Explosives, fireworks, gasoline or any other flammable materials that might create a hazard are not permitted in residence halls. Possession or use of such materials is a violation of state law and may result in referral to University Police and/or disciplinary action by the University. Use of such explosives may also result in immediate cancellation of the residence hall contract.
 - c) **Smoking.** All of UW-Whitewater's residence halls are smoke free. Smoking is not permitted in any areas of the residence halls, including student rooms and foyers. Smoking is not permitted within 25 feet of any residence hall.
 - d) **Open Flame.** Candles (including candles without wicks), candle warmers, incense, and fragrant plug-in devices, are not allowed at any time.
3. **Procedures in case of a fire:**
 - a) In the event of a fire, students should immediately pull the nearest fire alarm. When the alarm sounds, all residents should immediately evacuate the building, and move away from the building to allow adequate access for emergency personnel.
 - b) It is the student's responsibility to evacuate the building; staff members will not come to get them. **Failure to do so may result in referral to the Student Conduct System and/or a citation by University Police.**
 - c) **IF A FIRE ALARM SOUNDS AND YOU ARE IN THE BUILDING, PLEASE DO THE FOLLOWING:**
 1. Remain calm.
 2. Feel door and knob. If cool, open door slowly.

d) **IF YOU CAN EXIT SAFELY:**

1. Always wear shoes.
2. Close and lock your door and window.
3. Leave through the nearest exit. If smoke is present, use another exit.
4. Stand clear of the building after exiting.
5. Do not attempt to re-enter the building.
6. Do not return to your room until "all clear" is given by appropriate staff.

e) **If door knob is hot or hallway is filled with smoke:**

1. Seal cracks around door with wet towels, clothing, etc.
2. If a phone is available, call the Fire Department (dial 911) to report the fire.
3. Open the window and hang an object out the window, such as a sheet or clothing to attract attention.
4. Keep your face covered to aid in breathing.
5. Students with disabilities or those requiring special assistance should discuss their evacuation plans with their RA or Complex Director. Fire alarm tests are conducted on a periodic basis in each residence hall and students will be notified of the times in advance.

4. Policies Regarding Fire Safety Education:

The safety of every individual in the residence hall is critical to the residence hall staff, and fire is of particular concern. It is important that all students become familiar with the stairwells and exits in the buildings, and practice caution when decorating their room.

a) **Fire Hazards:**

1. Due to the potential fire hazard, students are prohibited from:
2. Hanging anything such as fishnets, parachutes, sheets, etc. in rooms
3. Decorating with paneling or plywood
4. Blocking the doorway with furniture
5. Storing wheelchairs in hallways (except in approved areas).
6. Students are also prohibited from having the following items in their rooms due to potential fire hazard:
7. Candles and incense
8. Smoke and/or fog machines
9. Halogen lights are also prohibited.

b) **Intentionally starting a fire/fires resulting in negligence:**

1. If a student intentionally starts a fire, or if a fire results from negligence, students may be held financially responsible for property damage or personal loss, and may be removed from the residence halls.

c) **Smoke detectors:**

1. Smoke detectors are located in each room and should not be tampered with or unplugged. If a smoke detector is not working, an RA should be notified. Tampering with these or other fire safety equipment, such as fire alarms, fire alarm covers, fire hoses, or fire extinguishers, will be just cause for removal from the residence halls.

d) **Additional policies:**

1. Persons causing false fire alarms, interfering with the proper functioning of the fire alarm system, including pull box covers, or interfering with the lawful efforts of emergency personnel are subject to prosecution under Wisconsin Statutes. In addition, individuals may be removed from the residence halls and/or the University.

e) **Evacuation:**

1. Every student is responsible for immediate evacuation of the building in the event of a fire alarm. Failure to evacuate will result in referral to the Student Conduct System and possible police involvement.

5. **List of titles to which students and staff should report a fire:**

- a) Complex Director
- b) Associate Director of University Housing
- c) Director of University Housing

6. **Planned system improvements:**

- a) There are no planned fire response or suppression system improvements slated for calendar year 2018.

DEFINITIONS:

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire drill: A supervised practice of a mandatory evacuation of a building for a fire.

Fire-related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

Fire-related death: Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire. Also includes death within one year of injuries sustained as a result of the fire.

Fire safety system: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including: sprinkler or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights, smoke-control and reduction mechanisms, fire doors and walls that reduce the spread of a fire.

Value of Property Damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including: contents damaged by fire, related damages caused by smoke, water, and overhaul. Does not include indirect loss, such as business interruption.

University Housing maintains a fire log and the log for the most recent 60-day period is open for public inspection during normal business hours in the University Housing office in Goodhue Hall.

UW-W Residence Halls	Smoke detectors monitored by third party vendor in common areas	Smoke detectors monitored by third party vendor in student rooms	Individual smoke detectors in rooms not monitored	Sprinkler System	Fire Extinguisher Devices	Evacu- ation Plan/ Placard	Number of evacuation (fire) drills each calendar year
Arey 1024 W Starin Road	X		X	X	X	X	1
Benson 1008 W Starin Road	X		X		X	X	1
Bigelow 441 Koshkonong Drive	X		X		X	X	1
Clem 444 Warhawk Drive	X		X		X	X	1
Fischer 771 W Lauderdale Drive	X		X	X	X	X	1
Fricker 423 Koshkonong Drive	X		X	X	X	X	1
Goodhue 790 W Starin Road	X		X		X	X	1
Knilians 411 N Prairie Street	X		X		X	X	1
Lee 429 Koshkonong Drive	X		X		X	X	1
Ma'iingan 451 Warhawk Drive	X		X	X	X	X	1
Starin 901 W Starin Road	X		X	X	X	X	1
Tutt 431 N Prairie Street	X		X		X	X	1
Wellers 705 Lauderdale Drive	X		X	X	X	X	1
Wells East 611 Lauderdale Drive	X		X	X	X	X	1
Wells West 611 Lauderdale Drive	X		X	X	X	X	1

UW-W Residence Halls	Total Fires in Each Building	Fire Number For the Year	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Arey	0					0	0	0
Benson	0					0	0	0
Bigelow	0					0	0	0
Clem	0					0	0	0
Fischer	0					0	0	0
Fricker	0					0	0	0
Goodhue	0					0	0	0
Knilans	0					0	0	0
Lee	0					0	0	0
Ma'iingan	0					0	0	0
Starin	0					0	0	0
Tutt	0					0	0	0
Wellers	0					0	0	0
Wells East	0					0	0	0
Wells West	0					0	0	0