University of Wisconsin Whitewater

Sexual Violence and Sexual Harassment Policy

Implemented in accordance with Regent Policy Document 14-2 (formerly 81-2).

Policy Statement

The mission of the University of Wisconsin-Whitewater is to provide a teaching, learning and working environment in which faculty, staff, and students can discover, examine critically, preserve, and transmit the knowledge, wisdom, and values that will improve quality of life for all. To promote these institutional values, UW-Whitewater is committed to creating and maintaining a community environment that is free from sexual violence and sexual harassment.

Purpose and Scope of Policy

This policy prohibits acts of sexual violence and sexual harassment on university property, at university-sanctioned or university-affiliated events, and where off-campus conduct affects a member of the university community. UW-Whitewater is committed to educating its community and to promptly and effectively responding to and redressing conduct that violates this policy. This policy also provides the UW-Whitewater community with information and resources to identify, report, and respond to sexual violence and sexual harassment including sexual assault, sexual exploitation, stalking, and dating and domestic violence. These efforts support the overall missions of UW-Whitewater and the University of Wisconsin System.

This policy applies to:

University sponsored and supported activities held both on and off campus, including those held in other municipalities, states, and nations.

All students while they are on campus or if their off-campus conduct meets any of the following criteria:

1. The conduct constitutes or would constitute a serious criminal offense, regardless of the existence of any criminal proceedings.
2. The conduct indicates that the student presented or may present a danger or threat to the health or safety of self or others.
3. The conduct demonstrates a pattern of behavior that seriously impairs the University's ability to fulfill its teaching, research, or public service missions.

All other members of the University community (including, but not limited to employees, volunteers, visitors, guests, contractors, and third-party vendors) while they are on

campus or engaged in activities associated with university sponsored and supported activities.

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.

I. Definitions

Advisor:

An individual who assists a complainant or respondent in any grievance proceeding, or related meetings. This individual may or may not be an attorney.

Clear and convincing evidence:

Information that would persuade a reasonable person to have firm belief that a proposition is more likely true than not true. It is a higher standard of proof than “preponderance of the evidence."

Complainant:

Any individual who is alleged to be the subject of sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sexual exploitation, as defined in this policy.

Confidential Employee:

Any employee who is a licensed medical, clinical, or mental health professional when acting in that role in the provision of services to a patient or client who is a university student or employee. A Confidential Employee will not report specific information concerning a report of sexual violence or sexual harassment received by that Employee in the Employee’s professional capacity unless with the consent of the reporting individual or unless required by the Employee’s license or by law.

Confidential Resource:

Individuals or agencies in the community, whose professional license, or certification permits that individual or agency to preserve the confidentiality of the patient or client.

Consent:

Words or overt actions by a person who is competent to give informed consent, indicating a freely given agreement to engage in sexual activity or other activity referenced in the definitions of sexual assault and sexual exploitation. A person is unable to give consent if the person is in a state of incapacitation because of drugs, alcohol, physical or intellectual disability, or unconsciousness.

Dating Violence:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence:

Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Wisconsin, or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of Wisconsin as per ss. 813.12(1)(am) and 968.075, Stats.

Employee:

Any individual who holds a faculty, academic staff, university staff, limited, student employment, employee-in-training, temporary, or project appointment. (*See, e.g.,* UW System Administrative Policy 1225 (formerly GEN 0), General Terms and Definitions (https://www.wisconsin.edu/uw-policies/uw-system-administrative-policies/general-terms-and-definitions/))

Education Program or Activity:

For purposes of Title IX misconduct only, locations, events, or circumstances over which the university exercised substantial control over both the respondent and the context in which the relevant misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the university.

Executive Order 54:

Executive Order issued by Governor Walker in 2011 requiring that university employees report incidents of child abuse and neglect which they observe or learn of in the course of their employment. Such reports must be personally and immediately made to law enforcement or the county department of social services or human services. (https://docs.legis.wisconsin.gov/code/executive_orders/2011_scott_walker/2011-54.pdf)

Formal Title IX complaint:

For the purposes of Title IX misconduct only, a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment, sexual assault, dating violence, domestic violence, or stalking against a respondent and requesting that the institution investigate the allegations. At the time of filing of the formal Title IX complaint, the complainant must be participating in or attempting to participate in an educational program or

activity. A formal complaint may be filed in person, by mail, by electronic mail, or any other method designated by the university. A formal Title IX complaint shall include a physical or digital signature of the complainant or the Title IX Coordinator.

Incapacitation:

The state of being unable to physically or mentally make informed rational judgments and effectively communicate, and may include unconsciousness, sleep, or blackouts, and may result from the use of alcohol or other drugs. Where alcohol or other drugs are involved, evaluation of incapacitation requires an assessment of how the consumption of alcohol or drugs affects a person's decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness. The assessment is based on objectively and reasonably apparent indications of incapacitation when viewed from the perspective of a sober, reasonable person.

Official with Authority:

Any official of the university who has the authority to institute corrective measures on behalf of the university.

Office for Civil Rights:

The U.S. Department of Education office that is responsible for enforcing Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and other education-based discrimination acts. http://www2.ed.gov/about/offices/list/ocr/complaints-how.html

Preponderance of the Evidence:

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.

Respondent:

An individual who has been reported to be the perpetrator of sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sexual exploitation, as defined in this policy.

Responsible Employee:

Any employee (other than a "confidential resource") who has been given the duty of reporting incidents of sexual misconduct by students or employees to the Title IX Coordinator or other appropriate school designee.

Retaliation:

Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured in, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Sex Discrimination:

Discrimination on the basis of sex or gender. Sexual harassment and sexual assault are forms of sex discrimination. [*See* 20 USC §§ 1681-1688]

Sexual Assault:

An offense that meets any of the following definitions:

a) **Rape**:
The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of the complainant, without the consent of the complainant.

b) **Fondling**:
The touching of the private body parts of the complainant for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of the complainant's age or because of the complainant's temporary or permanent mental incapacity.

c) **Incest**:

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law as per s. 944.06, Stats.

d) **Statutory Rape:**

Sexual intercourse with a complainant who is under the statutory age of consent as per s. 948.02, Stats.

Sexual Exploitation:

Attempting, taking or threatening to take, nonconsensual sexual advantage of another person. Examples include:

a) Engaging in the following without the knowledge and consent of all participants:

1. Observing, recording, or photographing private body parts or sexual activity of the complainant.

2. Allowing another person to observe, record, or photograph sexual activity or private body parts of the complainant.

3. Otherwise distributing recordings, photographs, or other images of the sexual activity or private body parts of the complainant.

b) Masturbating, touching one's genitals, or exposing one's genitals in the complainant's presence without the consent of the complainant, or inducing the complainant to do the same.

c) Dishonesty or deception regarding the use of contraceptives or condoms during the course of sexual activity.

d) Inducing incapacitation through deception for the purpose of making the complainant vulnerable to non-consensual sexual activity.

e) Coercing the complainant to engage in sexual activity for money or anything of value.

f) Threatening distribution of any of the following, to coerce someone into sexual activity or providing money or anything of value:

1. Photos, videos, or recordings depicting private body parts or sexual activity of the complainant.

2. Other information of a sexual nature involving the complainant, including sexual history or sexual orientation.

Sexual Harassment:

Conduct on the basis of sex that satisfies one or more of the following:

a) *Quid pro quo sexual harassment.*

1. An employee of the institution conditions the provision of an aid, benefit, or service of the institution directly or indirectly on an individual's participation in unwelcome sexual conduct.

2. An employee of the institution either explicitly or implicitly conditions the provision of an academic, professional, or employment-related opportunity, aid, benefit, or service on an individual's participation in unwelcome sexual conduct.

b) *Hostile environment sexual harassment.*

1. Unwelcome conduct of a sexual nature directed towards a student, an employee, or a person participating in a program or activity of the university that, when using the legal "reasonable person" standard, is so severe, pervasive, and objectionably offensive that it effectively denies the person equal access to the institution's education program or activity.

2. Unwelcome conduct of a sexual nature directed towards an individual that, when using the legal "reasonable person" standard, is so severe or pervasive and objectively offensive that it has the purpose or effect of unreasonably interfering

with an individual's academic or work performance or participation in an university sponsored or supported activity.

Sexual Violence:

The phrase, as used in this policy, refers to incidents involving sexual assault, dating violence, domestic violence, stalking, and sexual exploitation.

Stalking:

Engaging in a course of conduct directed at the complainant that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.

Student:

Any person who is registered for study in a University of Wisconsin System institution for the academic period in which the alleged act of sexual violence or sexual harassment occurred, or between academic periods for continuing students. [See Chapter UWS 17.02(14), Wis. Admin. Code.]

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 states, "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." 20 U.S.C. § 1681(a).

Title IX Misconduct:

A report of sexual harassment or sexual violence under this policy will be considered Title IX misconduct when a formal Title IX complaint (as defined in this section) is either filed by a complainant or signed by the Title IX Coordinator and the alleged conduct meets the definition of sexual harassment, sexual assault, dating violence, domestic violence, or stalking as defined in 34 C.F.R. 106.30, occurred within a university "education program or activity" (as defined in this section) and occurred against the complainant while in the United States; and the complainant is participating in or attempting to participate in a university education program or activity at the time they file the formal complaint. Title IX misconduct cases will follow procedures as detailed in Chs. UWS 4.11-24 (faculty), UWS 11.13-26 (academic staff), UWS 17.16-21 (students), and Appendix C (university employees other than faculty or academic staff).

Title IX Coordinator (and Deputies):

An employee designated to coordinate compliance with Title IX, who plays an important role in an institution's efforts to ensure equitable opportunity for all students and employees, and

who works with school officials to remind the school community that students and employees must have equal access to all programs.

Trauma-Informed Care:

Trauma-informed care reflects an understanding of trauma and emphasizes creating services and programs that are sensitive and directly responsive to the trauma that many victims and survivors experience following a violent crime. Trauma-informed care programs identify and limit potential triggers to reduce their re-traumatization and protect their mental and emotional health. https://www.justice.gov/ovw/blog/importance-understanding-trauma-informed-care-and-self-care-victim-service-providers.

Trauma-informed care is an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma. Trauma-informed care also emphasizes physical, psychological and emotional safety for both consumers and providers, and helps survivors rebuild a sense of control and empowerment. *See also:* http://www.traumainformedcareproject.org/resources/SAMHSA%20TIC.pdf and http://www.nsvrc.org/sites/default/files/publications_nsvrc_guides_building- cultures-of-care.pdf.

A process that employs trauma-informed care accounts for the impact of trauma but does not recognize symptoms of trauma as evidence that a particular incident did or did not occur.

Violence Against Women Act (VAWA):

Federal law enacted in 1994 and reauthorized most recently in 2022, which promotes the investigation and prosecution of violent crimes against women, among other objectives. It includes amendments to the Clery Act [42 U.S.C. §§ 13701-14040], through the Campus Sexual Violence Elimination Act (SaVE) provision, Section 304.

Related Regent Policies and Applicable Laws

- RPD 14-2, "Sexual Violence and Sexual Harassment *(formerly 81-2)"*
- RPD 14-3, "Equal Opportunities in Education: Elimination of Discrimination Based on Gender"
- RPD 14-6, "Discrimination, Harassment, and Retaliation"
- RPD 14-8, "Consensual Relationships"
- Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.; 34 C.F.R. Part 106)
- § 36.11(22), Wis. Stats., Orientation Program; Information on Sexual Assault and Harassment
- Violence Against Women Act (1994) 42 U.S.C. §§ 1371-14040

II. Role and Duties of University Officials and Employees

A. Title IX Coordinator

The duties of the UW-Whitewater Title IX Coordinator are described in the institutional position description. Those duties include:

- receiving reports of sexual violence and sexual harassment
- maintaining appropriate records
- providing or supporting the provision of appropriate education and training
- maintaining ongoing communication with Title IX Personnel and the Title IX Committee
- overseeing and/or investigating allegations of sexual violence and sexual harassment, as appropriate
- coordinating the effective implementation of supportive measures
- ensuring that applicable policies, resources, and other information is up-to-date and properly disseminated.

The duties of the Title IX Coordinator will be guided by principles of trauma-informed care and ensuring equity and due process for complainants and respondents.

B. UWW Sexual Violence & Sexual Harassment Committee (Title IX Advisory Committee)

The Sexual Violence & Sexual Harassment (Title IX Advisory) Committee at UW-Whitewater meets monthly to:

- discuss policy implementation and revision
- assess the effectiveness of trainings and educational programming
- address campus climate issues
- provide guidance to the Title IX Coordinator

The following are offices represented on this committee:

- Academic Staff Assembly
- Athletics
- Dean of Students
- Faculty Senate
- First-Year Experience Office
- Human Resources
- Sexual Assault Prevention and Awareness Committee
- Title IX Coordinator
- University Police
- University Housing
- University Health & Counseling
- University Staff Council
- Whitewater Student Government
- Women's and Gender Studies Department

C. Responsible Employees

UW-Whitewater has designated the following individuals as “Responsible Employees” under this policy. They include but are not limited to:

- All instructors, including full-time professors, adjuncts, lecturers, adjunct instructors, and any others who offer classroom instruction or office hours to students;
- All advisors
- All coaches, trainers, and other athletic staff that interact directly with students
- All student affairs administrators
- All residential hall staff
- Employees who work in offices that interface with students with the exception of UHCS staff who are considered confidential employees
- All supervisors and university officials with the exception of UHCS staff who are confidential employees.
- Any other employee who does not fall under the umbrella of confidential employee.

Responsible Employees are not necessarily “Officials with Authority” to institute corrective measures on behalf of the university. Responsible employees should be properly trained to do the following:

1. Be familiar with definitions of sexual violence and sexual harassment.
2. Be familiar with this policy and other related policies.
3. Be prepared to respond should an individual report an incident of sexual violence or sexual harassment.
4. Be familiar with resources on campus to which to refer a reporting individual.

D. Official with Authority

UW-Whitewater has designated individuals with the following titles as “Officials with Authority,” under this policy, as they have the authority to institute corrective measures on behalf of the university. All Officials with Authority are also Responsible Employees.

- Chancellor
- Vice-Chancellors
- Academic Deans
- Department Chairs and Supervisory Staff
- Dean of Students and DOS Staff
- Chief Human Resources Officer and HR Staff
- Chief of University Police
- Director and Associate Director of Athletics
- Residence Life Central Staff, Complex Directors & Assistants

• Title IX Personnel or Team Members who are not designated as Confidential Employees like UHCS staff

E. All Employees

Regardless of whether they are a “Responsible Employee” or an “Official with Authority,” all employees are required to comply with the following reporting obligations.

In accordance with § 36.11(22), Wis. Stats., 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 Title IX Coordinator or designee. “Confidential Employees”, described below, are only required to report the occurrence of the sexual assault without any personally identifying information about the complainant or respondent.

All employees must comply with ***Executive Order 54*** which requires that university employees report incidents of child abuse and neglect which they observe or learn of in the course of their employment. Such reports must be personally and immediately made to law enforcement or the county department of social services or human services. [https://docs.legis.wisconsin.gov/code/executive_orders/2011_scott_walker/2011-54.pdf].

III. Reporting an Incident of Sexual Violence or Sexual Harassment

A. Reporting Options

Those who have been subjected to an incident of sexual violence or sexual harassment have several options for reporting the incident:

1. The individual may elect not to report or may only seek confidential services.
2. The individual may report information to the campus Title IX Coordinator or other designated reporting office:

Title IX Coordinator

Hyer Hall 112
Phone: 262-472-5940
Email: titleix@uww.edu

Offices

Dean of Students Office (Students)
Anderson, Suite 2130
Phone: 262-472-1533

Human Resources (Employees)
Hyer Hall 336
Phone: 262-472-1024

University Housing (Resident Students)
Goodhue Hall 200
Phone: 262-472-4255

3. The individual may report information to campus law enforcement:

UW-Whitewater Police
Goodhue Hall
Phone: 262-472-4660 (Non-Emergency); 911 (Emergency)
Email: police@uww.edu
Website: uww.edu/adminaffairs/police

4. The individual may report information to local law enforcement:

City of Whitewater Police
312 W. Whitewater St.
Whitewater, WI 53190
Phone: 262-473-0555, option 4 (Non-Emergency); 911 (Emergency)
Email: police@whitewater-wi.gov
Website: whitewater-wi.gov/page/police/

City of Janesville Police
100 N. Jackson St.
Janesville, WI 53548
Phone: 608-757-2244 (Non-Emergency); 911 (Emergency)
Website: janesvillewi.gov/departments-services/police

Note: An individual may make a report to one or more of the offices or individuals noted above.

5. Individuals also have the option to file a complaint with the U.S. Department of Education:

U.S. Department of Education
Office for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100

http://www2.ed.gov/about/offices/list/ocr/docs/howto.html

The Sexual Assault Reporting form:
https://cm.maxient.com/reportingform.php?UnivofWisconsinWhitewater&layout_id=4.xml

This means of reporting is highly recommended, as it ensures that outreach support to the individual subjected to sexual misconduct be initiated upon receipt of the form.

B. Amnesty

Individuals, including complainants, respondents, and witnesses, who have made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing regarding incidents of sexual harassment or sexual violence generally will not be issued citations by campus law enforcement or subject to disciplinary sanctions for personal consumption of alcohol or other drugs arising out of the same facts and circumstances of the alleged incident unless the institution determines that the violation was egregious, and/or placed the health or safety of any person at risk, and was beyond the amnesty provided by state law. (See https://www.doj.state.wi.us/sites/default/files/ocvs/act279/Sexual%20Assault%20Victim%20Amnesty%20What%20You%20Should%20Know.pdf.)

C. Confidentiality

Individuals, including complainants, who report to any of the offices or individuals noted above, or to any other university employee, except Confidential Employees or resources as defined above, cannot be assured absolute confidentiality. However, information provided in the report and in any subsequent, related proceeding will only be shared with those individuals who have a need to know to fulfill obligations consistent with university policies or laws.

D. Resources and Supportive Measures

1. Supportive Measures

The university will work with individuals involved in alleged incidents of sexual violence and sexual harassment to undertake appropriate measures to assist in their safety and wellbeing. These may include no-contact directives, academic or work modifications, and relocation of living or working space. Supportive measures are available to complainants and respondents.

2. Resources

The university offers a variety of free resources that are available to individuals involved in incidents of sexual violence or sexual harassment, including the following:

24-hour UW-Whitewater Police Service: 262-472-4660
24-hour Emergency Help: 911
Walworth County Crisis Line: 262-741-3200 or 1-800-365-1587
Dean of Students Office: 262-472-1533
University Health and Counseling Services (UHCS)
UHCS has confidential employees and provides confidential and free services.
http://www.uww.edu/uhcs/about-us/staff-directory.

Health Services: 262-472-1300
M-F 8:00am to 4:00pm (summer & evening hours may vary)
Services provided include medical treatment, emergency contraception, treatment for STI's, pregnancy/STI/anonymous HIV testing, referrals to specialists, phone consultations with RN. No evidence collection is done on site.

Counseling Services: (262) 472-1300
M-F 8:00am to 4:00pm
Free individual assessment & counseling, consultation with staff, referrals to community agencies, and crisis intervention
24-hour Crisis Line: 262-472-1305, 262-741-3200, or 888-531-2142

Walk-ins: Second floor of Ambrose Health Center between 8 and 4:00 (Monday - Friday). For urgent concerns there is a counselor available without appointment for crisis intervention when the Counseling Service is open. For confidential employees/resources who can provide emotional support, advocacy, or information following a sexual assault: 262-472-1060 (Sexual Assault Crisis Line.)

Aurora Lakeland Medical Center – Elkhorn – SANE Services

Aurora Lakeland Medical Center provides 24-hour emergency care with specially trained nurses, Sexual Assault Nurse Examiner (SANE) services. These are nurses who can provide forensic evaluations and emotional support to sexual assault and domestic violence survivors. If you request an advocate, New Beginnings APFV is the agency that is called to work with you.

For more information you can contact:

Aurora Lakeland Medical Center
W3985 County Rd NN
Elkhorn, WI 53121
Phone: 262-741-2000
24-hour crisis hotline: 414-219-5555
Website: https://www.aurorahealthcare.org/healing-advocacy-services/refer-to-us

Mercyhealth Hospital and Trauma Center – Janesville – SANE Services

Mercyhealth Hospital and Trauma Center offers round-the-clock compassionate care for individuals whose traumatic injuries are caused by sexual assault through its SANE (sexual assault nurse examiner) program. Mercyhealth's SANE program, the only one of its kind in Rock County, provides comprehensive care for assault victims of all ages.

A Sexual Assault Nurse Examiner is a registered nurse who has received special training so they can provide comprehensive care to sexual assault victims including a forensic exam. The nurse examiner offers:

•Full attention focused on the care and comfort of the patient
•Emergency health services
•Expertise to offer effective courtroom testimony
•Definitions of consent and assault
•Community education about preventing sexual abuse
•Access to important local resources

For details about Mercyhealth's SANE program, you can contact:

Mercyhealth Hospital and Trauma Center – Janesville
1000 Mineral Point Ave.
Janesville, WI 53548
Phone: 608-756-6000

New Beginnings (The Association for Prevention of Family Violence, APFV):
New Beginnings APFV helps victims of domestic violence, sexual assault, harassment, stalking and human trafficking as well as their affected family members.

They provide (just to name a few. Go to the website for a comprehensive list):

- A 24-hour telephone crisis line for victims of domestic violence and/or sexual assault
    - Legal advocacy, including information on how the criminal and civil court systems work
- Safety planning including assistance in obtaining a restraining order
- Court accompaniment
- Services for current or past victims of sexual assault of all ages
- Support services for family members affected by domestic or sexual abuse
- Individual counseling with an advocate
- Weekly ongoing support groups for women, adolescents, and children
- Referral to emergency safe housing
- Information and referral to other helpful community agencies
- Advocacy and counseling for elder abuse

Walworth & Jefferson County: 262-723-4653; newbeginningswalworth.com

Locations:
261 S Fourth St.
Whitewater, WI 53190

874 Collins Road
Jefferson, WI 53549

20 N Church Street
Elkhorn, WI 53121

Defy Domestic Abuse Beloit:
825 Liberty Avenue, Suite 2
Beloit, WI 53511
24/7 Helpline: 608-365-1119
familyservices1.org
Office hours: Monday – Friday from 8:00 am – 4:30 pm

Defy Domestic Abuse Beloit provides services for victims of domestic violence. All domestic violence victim information is kept confidential. Location of shelters is confidential to protect the victims and their children.

Services include:

- 24 hour crisis, information and referral 365 days a year
- Emergency shelter for victims of domestic violence
- Legal advocacy including help with preparing and filing a restraining order
- Support groups - In House and Outreach
- Safety, housing, and financial planning for victims
- Children's services
- Parenting classes
- Budgeting classes
- Hispanic and other minority domestic violence outreach services
- Sexual assault services

Crime Victim Services (State of Wisconsin):
1-800-446-6564 or 608-264-9497
If you are the victim of a crime, you may come in contact with the criminal justice system. You are entitled to certain rights under the Wisconsin law, which ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy and sensitivity; and that the rights extended to victims and witnesses of crime are honored and protected by law enforcement agencies, prosecutors, and judges in a manner no less vigorous than the protections afforded criminal defendants. If you are unable to resolve the situation yourself, you have the right to contact the Victim Resource Center for further assistance and possible informal mediation. The VRC is a team of individuals housed in the Office of Crime Victim Services who specialize in assisting victims of crime with questions and concerns regarding their crime victim rights. See below for the relevant citation.

YWCA Rock County:
24 Hour Emergency Hotline: 608-752-2583 or text 608-371-9288
Business Hours Number: 608-752-5445
https://www.ywcarockcounty.org/

- Services include emergency shelter providing food, clothing, personal needs, legal advocacy, safety planning, support groups, and a transitional living program

UW-Whitewater Campus Tutorial Services:

262-472-1230; tutorctr@uww.edu

The UW-Whitewater Tutorial Services office offers tutors for a variety of subject areas, including but not limited to Accounting, Biology, Chemistry, Communication, CORE classes, DevEd, Math, Music, and many others. For a complete list, give the office a call at the number listed above or visit their website at https://www.uww.edu/tutorial

E. Procedures

1. University Procedures:

When a report is made to the *Title IX Coordinator* alleging that a *student* has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.[*Chapter UWS 17, Wis. Admin. Code*]. https://docs.legis.wisconsin.gov/code/admin_code/uws/17

When a report is made to the *Title IX Coordinator* alleging that a *Faculty Member* has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply. [*Chapters UWS 4, 6, and 7, Wis. Admin. Code*].

https://docs.legis.wisconsin.gov/code/admin_code/uws/4

https://docs.legis.wisconsin.gov/code/admin_code/uws/6

https://docs.legis.wisconsin.gov/code/admin_code/uws/7

When a report is made to the *Title IX Coordinator* alleging that a *member of the Academic Staff* has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply. [*CUWS chapters UWS 11 and 13, Wis. Admin. Code*].

https://docs.legis.wisconsin.gov/code/admin_code/uws/11

https://docs.legis.wisconsin.gov/code/admin_code/uws/13

When a report is made to the *Title IX Coordinator* alleging that a *member of the University Staff* has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply (*Regent Policy Document 14-2, Appendix C.)*

https://www.wisconsin.edu/regents/policies/sexual-violence-and-sexual-harassment/

When a report is made to the *Title IX Coordinator* alleging that *any other university employee who does not fall into any of the above categories* has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply. (*Regent Policy Document 14-2, Appendix C.)*

https://www.wisconsin.edu/regents/policies/sexual-violence-and-sexual-harassment/

2. Title IX Misconduct Informal Resolution Procedures

At any time prior to reaching a determination regarding responsibility for Title IX misconduct, the university may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the university:

a) Provides to the parties a written notice disclosing:

i. the allegations

ii. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations

iii. at any time prior to agreeing to a resolution any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint

iv. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared

b) Obtains the parties' voluntary, written consent to the informal resolution process

c) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

The university may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Title IX misconduct. Similarly, the university may not require the parties to participate in an informal resolution process to address Title IX misconduct and may not offer an informal resolution process for Title IX misconduct unless a formal complaint is filed. The requirements of this section do not apply to allegations of sexual harassment and sexual violence that do not constitute Title IX misconduct.

3. Law Enforcement Procedures:

a) When a report is made to campus law enforcement alleging that an individual has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

Contact Information:

University of Wisconsin-Whitewater Police Department

Goodhue Hall
790 W. Starin Rd.
Whitewater, WI 53190
Phone 262-472-4660 (Non-Emergency); 911 (Emergency)
Email: police@uww.edu

Procedure:

A police officer will discuss procedural issues with the complainant before the complainant makes the decision whether or not to report the sexual assault.

The officer will review with the complainant:

- Means to preserve evidence
- Whether any substances such as alcohol or drugs were involved
- Details of the police investigation
- What the complainant will have to do and when
- Who must be informed about the assault
- Whether the complainant would be required to press charges and appear in court
- Whether the complainant would have to pay for anything
- How many times the complainant could expect to explain or testify about the assault
- When the process will end

The complainant has a right to feel safe in their community, and Police Services will assist the complainant in developing a personal safety plan by providing:

- Safety escorts
- Evaluation of living quarters
- Self-defense training if requested
- Assistance in changing classrooms
- Assistance in changing class schedules
- Assistance with parking arrangements
- Assistance with resources and contacting agencies such as the following:
    - "New Beginnings-The Association for Prevention of Family Violence" (New Beginnings APFV, Elkhorn and Whitewater: 262-723-4653)
    - UW-Whitewater Health and Counseling Services (health appointment: 262-472-1300) (counseling appointment: 262-472-1305)
    - UW-Whitewater Sexual Assault Survivors Crisis Line (262-472-1060)
    - Whitewater Police Department (262-472-4660)
    - Jefferson County Human Services (920-674-3105)
    - Walworth County Health and Human Services (262-741-3200)
    - Wisconsin Department of Justice, Office of Crime Victim Services (1-800-446-6564) doj.state.wi.us
    - Wisconsin Coalition Against Sexual Assault (608-257-1516) wcasa.org
    - RAINN (Rape, Abuse and Incest National Network) (1-800-656-HOPE (4673) RAINN.org

b. When a report is made to local law enforcement alleging that an individual has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

Contact Information:

Whitewater Police Department
312 W. Whitewater St.
Whitewater, WI 53190
Phone: 262-473-0555, option 4 (Non-Emergency); 911 (Emergency)
Fax: 262-222-5909
https://www.whitewater-wi.gov/page/police/

City of Janesville Police Services
100 N Jackson St.
Janesville, WI 53548
Phone: 608-757-2244 (Non-Emergency); 911 (Emergency)
Fax: 608-755-3004
https://www.janesvillewi.gov/departments-services/police

Procedure:
Recognizing the intense and painful psychological and social pressures placed upon the victims of sensitive crimes, it shall be the policy of this Department to investigate these offenses with a great deal of sensitivity for the victim and with the unique skill afforded by a specialized Sensitive Crime Investigation Team.

A multi-disciplinary team approach to investigating sensitive crimes enhances the efficiency, effectiveness and sensitivity of all agencies providing services to the victim. Collaborative protocols for investigating sensitive crimes promote cooperation among law enforcement, child protection, prosecutors, educators, medical care providers, victim advocates and other community agencies to guide their response when completing investigations. Investigating personnel shall remain sensitive to the needs and request of the victim, especially during critical stages such as gathering evidence, photographing injuries and conducting interviews.

At the procedural level the following are considerations for the officers involved:

Primary Officer:

- Assess medical condition of the victim and whether immediate medical attention is needed
- Determination if a sensitive crime occurred and jurisdiction
- Request response of a sensitive crimes team member
- Ensure victim is escorted to a safe location
- Encourage victim to seek a SANE exam even if they do not wish to pursue a criminal investigation
- Offer information for local resources (APFV)

Secondary Officer:

- Protect crime scene and request an evidence technician
- Investigate; canvass area
- If applicable notify surrounding jurisdictions

Sensitive Crimes Team Member:

- Contact an advocate for the victim and ensure victim has access to crime victim services and literature
- Confirm victim safety and medical needs
- Obtain preliminary information from primary officer
- Ensure evidence collected at crime scene
- Coordinate with victim advocate to arrange transportation of victim to hospital facility for SANE exam
- Conduct thorough interview of adult victim (children victims are generally interviewed by a forensic interviewer)
- Coordinate investigation-follow up with charging as dictated by the results of the investigation

When a report is made to more than one of the offices noted above, the offices will endeavor to cooperate as they are able. Attempts will be made to limit the number of times a complainant or respondent is required to repeat information about the allegations.

F. Prompt Resolution

The university offices and employees that receive a report of sexual violence or sexual harassment will endeavor to resolve the matter in a timely manner, with consideration to available information and context.

1. Time Frames

Best efforts will be made for the university to complete an informal resolution process or an investigation of a complaint within 90 calendar days. The 90-calendar day time frame and any other time frame set by the university related to appeals and conclusion of the grievance process may be extended for good cause. Good cause may include but is not limited to considerations such as:

- the absence of a party or party's advisor or witness
- concurrent law enforcement activity
- the need for language assistance or accommodation of disabilities.

The complainant and the respondent will be notified in writing of an extension for good cause.

2. Potential Sanctions

The procedures identified above provide for disciplinary action against employees and students who are found responsible for violating a university policy. For students, such sanctions include those listed in UWS 17. Employee sanctions may include measures that range from a written reprimand through dismissal. Vendors and guests may be subject to other sanctions.

3. Notice of Outcome

Both the complainant and the respondent will be provided with notice of the outcome of the final resolution.

G. Prohibition Against Retaliation

Prohibited retaliation includes intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by this policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Those who believe they have been subjected to retaliation under this section may report the allegations to the Title IX Coordinator or Deputy. Those who believe they have been subjected to retaliation that would also constitute a crime may report to campus law enforcement or campus safety office. (*See* contact information above)

H. False Information

Any person who knowingly makes false statements or knowingly provides false information when reporting a violation of this policy or during the course of any investigation or disciplinary proceeding pursuant to this policy may be subject to disciplinary action. The fact that a complaint of sexual harassment or sexual violence did not result in a finding of wrongdoing in a law enforcement or University disciplinary proceeding will not, by itself, be a basis for determining that this provision has been violated.

IV. Education and Training

The Title IX Coordinator will be primarily responsible for facilitating the training and educational programs to the campus community. At a minimum, all students and employees will be required to complete the campus-supported on-line training covering issues of sexual violence and sexual harassment prevention and education.

The Chancellor or designee will identify and offer more in-depth training for employees who are Officials with Authority, Responsible Employees, Title IX Personnel, and those connected with the disciplinary process.

All Title IX Personnel, including the Title IX Coordinator, any investigator, any decision-maker, and any person who facilitates an informal resolution, shall receive training on the

definitions of sexual violence and sexual harassment, scope of the institution's program or activity, how to conduct an investigation and grievance process, how to serve impartially, and how to avoid conflicts of interest and bias. All decision-makers shall receive training on any technology to be used at a live hearing, and on issues of relevance of questions and evidence. All investigators shall receive training on issues of relevance and how to create an investigative report that fairly summarizes relevant evidence.

V. Record Keeping and Data Collection

As noted above, the Title IX Coordinator will maintain records of reports and resolution of sexual violence and sexual harassment consistent with the institutional records-retention policy, which must be at least seven (7) years. In addition, the Title IX Coordinator will track compliance with mandatory training programs and maintain a list of training and education offered on campus.

The institution will post a link to all training materials for Title IX Personnel (including the Title IX Coordinator, any investigator, any decision-maker, and any person who facilitates an informal resolution), whether developed internally or purchased externally, on their website for public viewing. All materials used to train Title IX Personnel will be maintained for at least seven (7) years.

The UW-Whitewater Police Department or other appropriate office will collect, maintain, and submit the Annual Security Report, consistent with the federal Clery Act.

The Title IX Coordinator, who reports to the Human Resources Office, or other appropriate official, will collect appropriate data and compile the state report required under § 36.11(22), Wis. Stats.

VI. Assessment

The University of Wisconsin-Whitewater will conduct a study that seeks to gather data and information concerning sexual violence and sexual harassment. Efforts will be made to conduct such a study once every 3 years. All students and employees are encouraged to participate. The Title IX office will also work to design methods for effectively evaluating the outcomes of campus training and educational programming. It is imperative that UW System institutions proactively integrate empirically informed assessment and evaluations into sexual violence and sexual harassment prevention and awareness programs to measure whether they are achieving the intended outcomes.