

# **DRUG FREE SCHOOLS AND COMMUNITY ACT (Drug Prevention Program)**

## **HEALTH RISKS OF ALCOHOL AND OTHER DRUG USE**

### **Alcohol**

Psychologically and physically addictive; respiratory depression; depression of the immune system; increased risk of heart disease, cancer, accidents, hypertension; brain damage to unborn fetus; impotence at high dosage levels. Specific effects include: Brain – The most dramatic and noticed effect alcohol has is on the brain. It produces lack of coordination, confusion, disorientation, stupor, anesthesia, coma, and finally death.

- **Liver** – *alcohol inflames and destroys the cells of the liver. This condition prevents bile from being properly filtered through the liver. Jaundice develops, turning the whites of the eyes and the skin yellow.*
- **Heart** – *Alcohol causes inflammation of the heart muscle.*
- **Pancreas** – *Alcohol irritates the cells of the pancreas and can lead to acute hemorrhagic pancreatitis. Pancreatitis can destroy the pancreas and create a lack of insulin.*
- **Stomach and Intestines** – *Alcohol also irritates the stomach's protective lining and can result in gastric or duodenal ulcers. In the small intestine, alcohol blocks absorption of substances such as thiamine, folic acid, vitamin B1, vitamin B12, and amino acids.*

### **Cannabis (Marijuana, Hashish)**

Psychologically addictive; increased risk of lung cancer, bronchitis, and emphysema; contributes to heart disease, fatigue, paranoia, possible psychosis; withdrawal symptoms including insomnia, hyperactivity and decreased appetite; depression of the immune system; decreased sperm count in men and irregular ovulation in women.

### **Stimulants (Cocaine, Crack, Amphetamines, Methamphetamine)**

Psychologically and physically addictive; withdrawal symptoms, convulsions, respiratory failure, frequent accidents; increased blood pressure which can lead to irregular heartbeat and death; possible damage to unborn fetus.

### **Depressants (Barbiturates, Tranquilizers)**

Psychologically and physically addictive; drowsiness, withdrawal symptoms, tremors, abdominal and muscle cramps, insomnia, anxiety, convulsions, possible death; possible damage to unborn fetus; potentially fatal when combined with alcohol.

### **Hallucinogens (LSD, PCP, Ecstasy, Psilocybin)**

Psychologically addictive, unpredictable behavior, depression, withdrawal symptoms, convulsions, death, possible damage to unborn fetus.

### **Inhalants (Glue, Gasoline, Paint, Aerosols)**

Psychologically and physically addictive; blurred vision; damage to lungs, liver, kidneys and bone marrow; anemia, choking, suffocation, death.

### **Narcotics (Heroin, Codeine, Darvon, Morphine, Vicodin, Oxycontin, Synthetic Opiates)**

Psychologically and physically addictive; depression, withdrawal symptoms, convulsions, coma

and death; possible damage to unborn fetus.

### **MDMA/Ecstasy and Other Club Drugs (XTC, X, Adam, hug, beans, love drug)**

MDMA users may encounter problems similar to those experienced by amphetamine and cocaine users, including addiction. In addition to its rewarding effects, MDMA's psychological effects can include confusion, depression, sleep problems, anxiety, and paranoia during, and sometimes weeks after, taking the drug. Physical effects can include muscle tension, involuntary teeth-clenching, nausea, blurred vision, faintness, and chills or sweating.

### **Tobacco (All Forms)**

- **Mouth, Larynx and Esophagus**—Smokers have three times as many cavities as nonsmokers. Tobacco, both smoked and smokeless, is the leading cause of cancers of the cheeks, gums, palate, tongue and lips. Smokers lose their teeth at a rate three times greater than nonsmokers do. A one pack-a-day smoker increases his/her chances of cancer of the esophagus by as much as 500%.
- **Stomach and Heart**—Peptic ulcers are twice as high in smokers as nonsmokers. Nicotine from any source causes secretion of excessive amounts of gastric acids, and delays healing of ulcers. Nicotine is a powerful constrictor of the small arteries. Insufficient oxygen supply to the heart is a cause of heart attacks.
- **Pancreas, Bladder, and Kidneys**—Smokers have a 100% increased risk of developing cancer of the pancreas, three times the risk of bladder cancer, and a 50% greater risk of kidney cancer. Carcinogens absorbed from cigarette smoke and smokeless tobacco can concentrate and be excreted in the urine. The bladder and the kidneys are in constant contact with these cancer-causing chemicals.
- **Bronchials and Lungs**—Smoking causes the lungs and bronchials to be inflamed and congested. Chronic bronchitis predisposes smokers to emphysema, an incurable lung disease. Emphysema is characterized by stretching and breaking of the tiny air sacs of the lungs, making them useless for breathing. Cigarette smokers are ten times more likely to die of lung cancer than nonsmokers are.
- **Reproduction**—Smoking more than ½ pack daily is associated with higher incidence of infertility in women. Babies born to women who smoke are lighter and smaller than those born to nonsmokers. This is important because birth weight is a predictor of infant health. Women who take birth control pills and who smoke are at greater risk of cancer.
- **Brain**—A combination of high blood pressure and smoking is associated with stroke, the third leading cause of death in the U.S. Nicotine from any source constricts blood vessels and restricts oxygen supply.

For more drug and alcohol information visit: the ([Wisconsin Department of Health Services](#))

### **Possession, Use, and Sale of Alcohol and Illegal Drugs**

As outlined in ([AP 4.05](#)) Alcohol and Drug Use, the College prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, including but not limited to alcohol, prescription, and illicit drugs on any College-controlled premise or College-sponsored event. Information on alcohol and drug addiction treatment centers and clinics can be obtained from the Welcome Center in the University Transfer Center or the College Safety and Security Resource Guide. Individuals who violate college policies can be sanctioned up to and including expulsion and/or termination from the college and referred to local law enforcement for violations of local ordinances and criminal laws.

## **FEDERAL AND STATE OF WISCONSIN LEGAL SANCTIONS**

### **Federal**

The federal government has revised the penalties against drug possession and trafficking through its Federal Sentencing Guidelines that reduce the discretion that federal judges may use in sentencing offenders of federal drug statutes. Under these guidelines, courts can sentence a person for up to six years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana. A sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury. Possession of more than 5 grams of cocaine can trigger an intent to distribute penalty of 10-16 years in prison, U.S.S.G.s. 2D2.1(b)(1). For more information related to Federal controlled substance laws and penalties: See the U.S. Drug Enforcement Agency' link([Title 21 United States Code](#)).

### **Wisconsin**

#### ***Drug Crimes***

The laws of Wisconsin prohibit drug possession and delivery through the Uniform Controlled Substances Act, Wis. Statue 961, and mandate stiff penalties that include up to 40 years of prison and fines up to \$100,000. A person with a first-time conviction of possession of a controlled substance can be sentenced up to 6 years in prison and fined up to \$10,000, Wis. Statue 961.41.

The penalties vary according to amount and type of drug confiscated, previous offenses, and intent to manufacture, sell, or use the drug. See Wis. Statute 961.41. Sentences can be enhanced when exacerbating factors are present, such as when a person distributes a controlled substance to a minor, Wis. Statute 961.46. For more information related to Wisconsin controlled substance laws and penalties: ([Chapter 961](#))

#### ***Alcohol Crimes/Violations***

Substantial restrictions against alcohol abuse also exist. It is against the law to sell alcohol to anyone who has not reached the legal drinking age of 21 and there is a concurrent duty on the part of an adult to prevent the illegal consumption of alcohol on his/her premises, Wis. Statute 125.07. Violation of the statute can result in a \$500 fine for a first violation and up to \$10,000 for additional violations.

It is against the law for underage persons to attempt to buy an alcoholic beverage, falsely represent their age, or enter licensed premises and they can be fined \$500, ordered to participate in a supervised work program, and have their driver's license suspended, Wis. Statute 125.07. Harsher penalties exist for the retailers of alcoholic beverages, including up to 90 days in jail and revocation of their liquor permit. For more information related to Wisconsin alcohol beverages laws and penalties: ([Chapter 125](#)).

For specific information regarding underage drinking laws and drinking/driving laws, contact the Campus Security Department at 715-365-4420.

#### **Local Ordinances and Tribal Laws**

The College's district contains portions of six counties, various cities, towns, villages, and three federally recognized Tribal Nations. The local ordinances and/or tribal laws vary from

community to community in relation to drugs and alcohol. Please refer to those communities for more information related to their specific ordinances and/or laws.

## **ALCOHOL AND DRUG USE COLLEGE POLICY ([AP 4.05](#))**

### ***Definitions***

Intoxicants: Any use of intoxicants or other substances which might impair performance or safety, or which might interfere with proper functioning or behavior on campus or in any College-related event, is prohibited and may lead to immediate dismissal.

### ***Policy Statement***

Nicolet College recognizes that the misuse and/or abuse of alcohol and other drugs in certain instances leads to dependency. The College also recognizes that such chemical dependency is a serious illness. Chemical dependency interferes with academic achievement and work performance for both a student and an employee. The College is committed to a drug free environment which includes education, intervention, referral, and treatment.

The College recognizes alcohol/drug dependency as a major health problem. An employee or student needing help with such problems is encouraged to seek the appropriate medical and other community resources.

Nicolet College is committed to upholding all local, state, tribal, federal, and international laws (when applicable) concerning the misuse and/or abuse of alcohol and other drugs and will support all efforts of the campus community to confront violations of these laws.

Employees and students are prohibited from consuming alcohol and then operating a College owned/leased vehicle. Possession, use, sale, or distribution of controlled substances, illicit drugs, or alcohol by any student, employee, or vendor on College property or at any College related activity is strictly prohibited. Employees and students who are deemed to be impaired because of use of alcohol, illegal drugs, or unauthorized use of prescription drugs that occur off campus or while on non-duty hours are subject to this policy.

In the event that an employee is arrested and/or cited for an alcohol or drug related offense while involved in a College related activity (on or off campus) the employee must notify the immediate supervisor and the Director of Human Resources within 48 hours or as soon as practicable thereafter. Failure to do so will result in appropriate disciplinary action up to and including termination.

An employee must, as a condition of employment, report any conviction under a criminal drug statute for a violation occurring on or off College premises while conducting College business. A report of the conviction must be made to the Director of Human Resources within five (5) days after the conviction. (This requirement is mandated by the Drug Free Workplace Act of 1988.) Failure to provide this notification in the required timeline will result in appropriate disciplinary action up to and including termination.

In the event that a student is arrested and/or cited for an alcohol or drug related offense while involved in a College related activity (on or off campus) the student must notify the Executive Dean of Security within 48 hours or as soon as practicable thereafter. Failure to do so will result in a referral to the student conduct committee, and appropriate disciplinary action up to and

including expulsion.

### **Exceptions**

Drugs prescribed by a physician, dentist, or other person licensed to prescribe or dispense controlled substances or drugs used in accordance with their instructions are not subject to this policy. A student or an employee using any substances, drugs, or medicines that cause drowsiness or other side effects that may impair their ability to perform their task properly and safely are obligated to inform his/her supervisor and/or his/her instructor of such medications. An employee will not allow a student to operate equipment or perform activities that have the potential for injury to themselves or others if they suspect a student to be impaired.

The use of any beverage containing alcohol, which includes beer or other malt beverages, wine, wine coolers, or distilled beverages, on College premises is prohibited with the exception of preparation and cooking of foods in the culinary arts courses, providing of beverages at functions authorized by the College President or designee, and controlled use in law enforcement training.

### **Procedures**

The College President or designee may authorize alcohol to be served at a College-sponsored event/class. An employee wishing to have alcohol served at a College-sponsored event/class must make a written request to the President stating the event/class, the type of alcohol requested to be served, and the provider of the alcohol.

In the event that an individual appears to be in a state of acute intoxication with alcohol or other drugs, or exhibiting evidence of acute intoxication, incapacitation, or a drug overdose on campus or at any College-sponsored activity, he/she will be immediately referred to law enforcement for intervention under Chapter 51.45 of Wisconsin Statutes, because of the potential dangers to the individual or others. If it is determined that the individual was in fact under the influence of alcohol and/or illegal substances, standard disciplinary procedures as outlined in the policy will be followed.

Refer to the Student Standards of Conduct ([AP 1.06](#)) for disciplinary procedures for suspected student violations.

### **Referral of Suspected Violations**

An employee of the College is expected to make a referral to the Behavior Intervention Team (BIT), as outlined in the BIT protocol, for any or all of the following:

- *Any student or employee who is believed to be in violation of this policy.*
- *Any student or employee exhibiting signs, symptoms, or indications of an alcohol or other drug related problem.*
- *Any student or employee whose self-disclosed alcohol/drug related behavior places them or others at risk or in imminent danger.*
- *Any student or employee judged to present a risk of imminent danger to him/herself or others may be removed from the school pending the results of a professional evaluation.*

Any student or employee violating these policies or showing behavioral evidence of alcohol or other drug abuse, as defined in this policy, shall be referred to the Executive Dean of Security.

## **Student Procedures**

The unauthorized use, possession, manufacture, sale or delivery of illegal drugs and alcohol on district property or at any gathering of students or employees that is sponsored by the district is prohibited. Anyone participating in these activities will be reported to local law enforcement officials and to any federal granting or contracting agency as required by law.

## **Employee Procedures**

Employees may be required to participate in an appropriate rehabilitation program prior to returning to work. Successful completion of an appropriate program, including after care plan, may be a requirement for continued employment. Any employee testing positive following completion of a rehabilitation program will be subject to discipline, up to and including termination. Refer to the document A Guide for Employees for the discipline procedures:

The College may require an employee to submit to testing for usage of alcohol, illegal drugs, or unauthorized use of prescription drugs. An employee may be tested for the following reasons.

- *Reasonable cause.*
- *If the employee has been involved in a work-related accident involving bodily injury or damage to property.*
- *As required or authorized by state or federal law.*
- *After the employee returns to work following completion of a rehabilitation program and periodically thereafter.*
- *Random testing, as required by law.*

A consent form will be provided to such an employee when testing is deemed necessary. Such tests will not be used to test for other physical or medical conditions. Refusal of consent for testing will be deemed insubordination.

Violations of this policy, confirmed positive test results, or refusal to consent to testing, will result in the immediate suspension of the affected employee pending a thorough investigation by the College.

The College will also conduct random drug testing as required by law. This applies to those employees considered to be in high-risk jobs and those required to possess a Commercial Driver's License.

The College will take all reasonable precautions and comply with applicable state and federal laws and regulations pertaining to employee privacy and confidentiality of test results.

## **Written Documentation**

Written documentation which specifically outlines the controlled use of alcohol in areas such as Food Services and Law Enforcement courses shall be maintained on file in the office of the Executive Dean of Security. In addition, written documentation which specifically outlines the display of illicit drugs and drug paraphernalia, as defined by Wisconsin Statutes, in Law Enforcement training programs shall be maintained on file in the office of the Executive Dean of Security.

## **Review Process**

The President or designee will conduct a biannual review of the programs and activities resulting from this policy to:

- *Determine its effectiveness and implement change if needed, and*
- *Insure the disciplinary sanctions are being consistently enforced.*

## **RESOURCES**

### **On-Campus**

Students who are concerned about their own use of alcohol and/or other drugs or about the use of someone close to them are encouraged to contact a College counselor for more information and/or assessment and referral as appropriate. Contact the **Welcome Center** at **715-365-4493** to schedule an appointment.

### **Behavioral Intervention Team**

The Behavioral Intervention Team (BIT) receives all reports of behavioral concerns. The BIT provides a collaborative, cross-functional approach to assessing and responding to individuals who might pose a threat to themselves or others. Any behaviors of concern such as individuals who are depressed, making inappropriate comments or threats, or exhibiting disruptive behavior should be reported to the BIT. These reports can remain anonymous. The BIT can be contacted by calling the number listed above or sending an email message to [BITMail@nicoletcollege.edu](mailto:BITMail@nicoletcollege.edu). The BIT will work closely with the Learner Success Team.

### **Off-Campus**

The Wisconsin Department of Health and Social Services through its Division of Community Services provides a pamphlet detailing statewide and local resources for drug and alcohol abuse treatment. You can request a pamphlet by calling 800- 248-9244 or writing: *Wisconsin Clearinghouse - 1552 University Avenue, Madison, WI 53705*

#### **For additional information contact:**

- *National Clearinghouse for Alcohol and Drug Information*  
301-468-2600
- *Alcoholics Anonymous (AA) National Office*  
212-686-1100
- *Al-Anon Family Group Headquarters, Inc.*  
800-356-9996
- *Adult Children of Alcoholics (ACOA)*  
213-534-1815
- *Narcotics Anonymous (NA) World Office*  
818-780-3951

### **Outpatient Services**

Kohler Behavioral Health  
622 Mason St.  
Rhineland, WI 54501  
715-369-2210

Kohler Behavioral Health  
150 Hospital Rd.  
Eagle River, WI 54521  
715-479-4585

Kohler Behavioral Health  
311 St. P.O. Box 470  
Woodruff WI, 54568  
715-356-8540

North Central Health Care Facilities  
Tomahawk, WI 54487  
715-453-5381

St. Mary's Ministry Behavioral Health  
Riverside Clinic  
1020 Kabel Avenue  
Rhineland, WI 54501  
715-361-2805

Options Treatment Programs, Inc.  
Eagle River, WI 715-477-2875  
Minocqua, WI 715-356-5377  
Rhineland, WI 715-369-7300  
Toll Free: 888-882-7301

North Central Health Care Facilities  
Langlade Health Care Center  
1225 Langlade Rd  
Antigo, WI 54409  
715-627-6694

The Human Service Center  
PO Box 897  
Rhineland, WI 54501  
715-369-2215

Transitions Center  
22 N. Pelham Street  
Rhineland, WI 54501  
715-365-6696

### **Crisis Intervention**

Crisis Intervention Link  
Toll Free 888-299-1188

A Confidential 24 hour, 7 day a week Crisis Line - A Division of Community Mental Health Services

### **Tribal Resources**

Family Resource Center  
Chippewa Health Center  
P.O. Box 398  
Lac du Flambeau, WI 54538  
715-588-1511

Sokoagon Chippewa Health Clinic  
3171 Hwy. 55  
Crandon, WI 54520  
715-478-5180

Forest County Potawatomi  
Tribal Center  
Crandon, WI 54520  
715-478-7200

### **Inpatient Services/AODA**

Memorial Medical Center  
Behavioral Health Services  
1635 Maple Lane  
Ashland, WI 54806  
715-682-4555 or 800-472-2800

Alcohol and Drug Recovery Services  
St. Joseph's Hospital  
611 Joseph Ave.  
Marshfield, WI 54449  
800-468-9700 or 15-478-4332 or 4305

### **Inpatient Services (Mental Health)**

St. Mary's Hospital  
Rhineland, WI 54501  
715-361-2020 or 800-472-7821

## Residential Treatment Facilities

Koinonia – For Adults  
Rhineland, WI 54501  
715-362-5745 – locally  
800-261-8789

Other resources can be found in the telephone book (yellow pages) under *Alcoholism Information and Treatment Centers*.

## HOW TO HELP

[\(Information taken from the Wisconsin Clearinghouse\)](#)

### Warning Signs

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

- *Try to hide his/her drinking or other drug use?*
- *Not remember what happened while he/she was using drugs or drinking?*
- *Have problems in job or school performance?*
- *Take physical risks like driving, biking, or swimming while intoxicated?*
- *Avoid talking about drinking or drug use, except to brag about how much was drunk or how high he/she got?*
- *Think about getting high a lot?*
- *Limit friends to those who drink or use drugs a lot?*
- *Seem unable to have a good time or to party unless alcohol or drugs are available?*
- *Say he/she sometimes NEEDS a drink or drug?*
- *Get angry when you mention your concerns and deny that there's anything wrong?*
- *Have a history of alcohol or other drug problems in the family?*

### How You Can Help

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

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

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

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

## **Student Standards of Conduct ([AP 1.06](#))**

Nicolet College believes in an academic and behavioral code of conduct which creates and maintains a learning environment that values academic excellence, institutional integrity, justice, equity, civility, and diversity. Individuals must conduct themselves in a manner that is compatible with the mission and values of the College and does not interfere with educational processes or endanger the safety or welfare of other persons.

All students are expected to comply with all College policies and procedures, as well as local, state, federal, tribal, and international laws. These standards of conduct apply to all College-controlled locations and College-sponsored activities or events. Students violating the Standards of Conduct may be subject to disciplinary action. For safety and security reasons, the Executive Dean of Security or designee may also temporarily remove students from College-controlled locations or activities. Violation of local ordinances, state or federal law on College premises, or at College-sponsored or supervised activities will be forwarded to local law enforcement authorities. Sanctions may be imposed for violations of these rules whether or not criminal or civil sanctions are pursued. Students have the right to appeal sanctions imposed for behavioral or academic misconduct.

Procedures are established for addressing student behavioral and academic misconduct issues.

The *Behavioral Intervention Team* (BIT) is concerned with the care, welfare, safety, and security of all College students, faculty, and staff, and is committed to providing an environment where individuals are free to work, learn, and teach, unencumbered and uninhibited by threats of intimidation and harm. See the ([Emergency Response Guide](#)) for a comprehensive overview of how the BIT functions.

The *Emergency Response Team* (ERT) is appointed to assist in the safety and security functioning of the College. The ERT has the following responsibilities:

- Provide leadership and direction in an emergency situation;
- In the event of a College emergency, available ERT members will assemble quickly to assess the situation and decide on appropriate action;
- In a situation prohibiting team assembly, individual ERT members may take appropriate steps to ensure safety;
- Any member of the ERT may call for evacuation of a building, send students and staff to emergency shelters, issue a timely warning, take other appropriate actions outlined in the College Emergency Response Plan, or initiate contact with law enforcement or emergency personnel.

The *Student Conduct Committee* is a standing committee appointed annually by the Executive Dean of Economic Development and Security. The committee membership includes one dean, one instructor, a counselor, and the Executive Dean of Security (who chairs the committee). Alternates may be appointed to ensure the committee members have no direct relationship to

the issue, course, or program of study. The dean of the student's program will serve as an ad hoc member of the committee.

The *Grievance Committee* is appointed by Human Resources when needed. The committee membership includes one administrator, two instructors, and two support employees. If the grievant requests student representation, Human Resources will select one student to serve on the Committee.

### ***Behavioral Misconduct***

Behavioral misconduct includes, but is not limited to, the following:

1. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other authorized College operations or activities.
2. Verbal abuse, physical abuse, sexual assault, or sexual harassment.
3. Taking or threatening to take action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action, whether intentionally or as a result of recklessness or gross negligence; failure to inform College authorities of such action(s) when observed.
4. Theft or damage to property.
5. Failure to comply with directions of College officials acting in the performance of their duties.
6. Unauthorized entry into or use of College-owned or -controlled locations.
7. Violation of any federal, state, or local laws, regulations or policies while in attendance at College-sponsored or supervised events or committing off-campus violations that adversely affect the College and/or the pursuit of its objectives.

### ***Sanctions for behavioral misconduct may include:***

The Student Conduct Committee, through the chair, may:

- Provide a documented oral reprimand;
- Provide a written reprimand;
- Remove students from College-controlled locations or activities;
- Dismiss a student from a continuing/community educational course;
- Dismiss a student from a credit course (Vice President or designee approval needed);
- Dismiss a student from the program (Vice President or designee approval needed);
- Dismiss a student from the College (Vice President or designee approval needed).

### ***Academic Misconduct***

Academic misconduct, includes, but is not limited to, an act in which a student:

1. Seeks to claim credit for the work or efforts of another without authorization or citation.

2. Uses unauthorized materials or fabricated data in any academic exercise.
3. Forges or falsifies academic documents or records or otherwise purposely furnishes false information to the College.
4. Intentionally impedes or damages the academic work of others.
5. Engages in conduct aimed at making false representation of a student's academic performance.
6. Cheats on an examination, including the unauthorized use of materials or aids, or use of unauthorized additional time (special needs accommodations require approval of instructor and disability support services staff).
7. Submits, without the explicit approval of the course instructor, work previously presented in another course.
8. Violates course rules as contained in the course syllabus or other information provided to the student.
9. Violates program policies and/or regulations as established by a program and made available to students.
10. Assists other students in any of these acts.

If an instructor suspects academic misconduct, the first step is to address the issue with the student. If academic misconduct has occurred, the instructor must report it to the supervisor and work with their supervisor regarding sanctions. If sanctions are to be imposed for academic misconduct, they may include:

- A documented oral reprimand;
- A written reprimand;
- Lowered grade for the assignment or assessment;
- Failure of the course;
- Dismissal from the program (Vice President or designee approval needed);
- Dismissal from the College (Vice President or designee approval needed).

All academic misconduct sanctions are kept on file in the office of the Vice President of Teaching, Learning, and Student Success.

### ***Complaint and Grievance Procedure for Nicolet College Students***

Under the Board of Trustee Student Complaints and Greivances policy ([BP 4.03](#)), students have the right to appeal sanctions imposed for behavioral or academic misconduct using the Complaint and Grievance Procedure for Nicolet College Students. For the purposes of this procedure, *days* are defined as Monday through Friday when the College is open for business. Weekends, holidays and days when the College is closed are excluded.

### **Step 1- Complaint Procedure**

A student must take the following steps to try to resolve the complaint prior to filing a formal grievance:

1. If a student has not been able to informally resolve an issue with the appropriate College employee, the student must initiate this complaint procedure within ten (10) days of the action causing the complaint. The College employee will make a decision and respond to the student within two (2) days of meeting with the student. The College employee will also inform the student of the appeal process.
2. If the student wishes to appeal the decision of the College employee, the student should appeal to the employee's immediate supervisor or designee to resolve the complaint. The appeal must be initiated within five (5) days of the employee's decision and the supervisor must respond within two (2) days of meeting with the student.
3. If resolution is not achieved at the supervisory level, the next level of appeal is with the supervisor's Vice President or designee. The appeal must be initiated within five (5) days of the supervisor's decision. The Vice President or designee must respond with a written determination to the student within two (2) days of meeting with the student. The Vice President or designee will also inform the student of the steps in the grievance process.
4. If the student disagrees with the decision, the student may file a grievance using the grievance form.

### **Step 2- Grievance Procedure**

1. The grievance form must be filed with the Director of Human Resources or designee within ten (10) days from the date of the Vice President's or designee's written determination. An investigation and an initial determination by the Grievance Committee will be completed within seven (7) days of receipt of the grievance. Grievance forms may be filed in person, by U.S. mail, or through email. The student may withdraw the grievance at any point during the grievance procedure.
2. In accordance with Federal requirements, 34 CFR Ch. VI 602.16 (a)(1)(ix), Human Resources will create a record of the student's grievance and add it to a log of student grievances. The log will be maintained and updated through the remainder of the process.
3. Human Resources will monitor the grievance process.
4. Human Resources will send acknowledgement confirming the receipt of the grievance form to the student. Human Resources will notify the person(s) against whom the grievance has been filed (hereafter referred to as the employee). The employee will also receive a copy of the grievance.
5. A Grievance Committee will be appointed by Human Resources.

6. A Vice President or designee not involved previously in the process, or their designee, will serve as the investigating officer in the grievance.
7. The investigating officer will:
  - a. Meet with the student and the employee.
  - b. Examine documentation and interview witnesses.
  - c. Consult with the employee's supervisor.
  - d. Prepare a written investigative report.
8. The investigating officer may meet individually with the student and the employee to discuss the report in the hope that a resolution can be reached. If a resolution is not achieved, copies of the investigative report will be forwarded to the Grievance Committee, the student, the employee, and the appropriate administrator(s).
9. The Grievance Committee will review the grievance and the findings of the investigating officer and determine whether or not the facts warrant a hearing. The Committee's decision will be limited to one of the following statements:
  - a. Based on the evidence presented, we determine a hearing is warranted; or
  - b. Based on the evidence presented, we determine a hearing is not warranted.

The Committee's written decision will be sent to Human Resources who will notify the grievant and the involved individuals of the decision.

10. If the Grievance Committee's decision is that no hearing is to be held, the student may submit a written appeal to the President within two (2) days from the date of the Committee's decision. The appeal must specify in detail what aspects of the investigative report or process are being appealed. The President will respond in writing within five (5) days. The President may uphold the decision of the Committee, and at that point no further appeals within the College will be considered. Or, the President may instruct the Committee to go forward with the grievance hearing process.
11. If a hearing is warranted (in person or by distance technology), the hearing will be held within five (5) days of the decision by the Grievance Committee or the President. The hearing will be conducted following these guidelines:
  - a. The Committee will select a chair. The chair of the Committee will establish a date for the hearing. A notice establishing the date, time, and place of the hearing will be provided to all involved parties.
  - b. The hearing will be conducted as expeditiously as possible and on successive days if possible.

- c. The student and the employee and any others the Committee deems necessary must appear for the proceedings unless they can verify to the Committee that their absence is unavoidable.
  - d. The student and the employee will be permitted to have a third party of their choosing to act as advisor and counsel.
  - e. The hearing will be closed to all except those persons directly involved in the case as determined by the Grievance Committee. Statements, testimony, and all other evidence given at the hearing will be confidential and will not be released to anyone and may be used by the Committee only for the purpose of making decision(s) related to the grievance.
  - f. The chair of the Grievance Committee will convene and regulate the proceeding. The members of the Committee must be present during the proceedings unless excused by the chair for good cause. Failure of either the student or the employee to appear without reasonable explanation will be grounds for defaulting that party's case. All parties will have the opportunity to present evidence and respond to evidence presented.
  - g. The Grievance Committee will file the final determination with the President, the Vice President, the student, and the employee after the conclusion of the hearing. The determination of the Grievance Committee is final.
12. If a student believes there has been misinterpretation or misapplication of the policy or procedure, an appeal may be made to the Nicolet College Board of Trustees Chair for procedural review. The appeal must be in writing, specify in detail what aspect of the grievance procedure or process is being appealed, and be submitted to the Office of the President within ten (10) days of receipt of the determination by the Grievance Committee. The written appeal will be forwarded to the Board Chair who will determine if review by the Board of Trustees is warranted. If warranted, the Board of Trustees review will be limited to determining whether the appeal process was properly followed by College staff.

All required meetings may take place in-person or via distance technology. Written materials may be submitted and shared as paper copies or electronically. Students must work through the step 1 procedure before moving to the step 2 procedure.

### ***Wisconsin Technical College System (WTCS) Complaint Process Related to Academic or Behavioral Misconduct***

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

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

- Complaints that allege violations of Wisconsin consumer protection laws, including but not limited to false advertising;
- Complaints that allege violations of Wisconsin laws related to the licensure of postsecondary institutions; or
- Complaints relating to the quality of education or other State or accreditation requirements.

A student who reasonably believes that a violation has occurred in one or more of these categories may file a written complaint. Complaints must be signed by the student and submitted on the official ([Student Complaint Form](#)).

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

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

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

### ***Procedures***

In the event of student behavioral misconduct:

- In an emergency, contact 911 and follow procedures as outlined in the ([Emergency Response Guide](#)).
- In all other cases, best practices related to conflict resolution should be employed and assistance of the supervisor, Behavioral Intervention Team (BIT), Executive Dean of Security or ERT may be utilized.
- All incidents of student behavioral misconduct must be reported to the Executive Dean of Security or designee in a timely manner.
- When appropriate, the Executive Dean of Security or designee will investigate the misconduct and will dismiss it or will refer the incident to law enforcement, the Student Conduct Committee, or both.

- For safety and security reasons, the Executive Dean of Security or designee may also temporarily remove students from College-controlled locations or activities until a final resolution is reached.
- If convened, the Student Conduct Committee will impose sanctions if warranted. If necessary, it will secure approval from the Vice President.
- The Executive Dean will record and retain student behavioral misconduct investigations with BIT.
- In the event of student academic misconduct:
  - Issues of academic misconduct must be addressed directly with the student by the instructor.
  - If the instructor confirms academic misconduct and wishes to impose sanctions, they must notify and consult with their supervisor. Per AP 1.06 Student Standards of Conduct, sanctions involving dismissal from a program or from the College must have the Vice President's or designee's approval.
  - The instructor informs the student in writing of academic misconduct sanctions with a copy to the Vice President's office.