



NICOLET COLLEGE

College Safety and Security Resource Guide

2016-2017

Student Standards of Conduct

Drug Free Schools and Communities Act

Campus Security and Crime Awareness

Clery and VAWA Acts and Title IX

Sexual Assault, Sexual Harassment, Stalking,
Relationship-Based Violence and Hate Crimes

Family Educational Rights and Privacy Act (FERPA)

Crime Statistics

nicoletcollege.edu

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

To: Nicolet Area Technical College Students and Employees

This information is being brought to you as part of Nicolet College's commitment to safety and security.

Nicolet College is a two-year district and state-supported institution of higher education. The College provides services from the main campus located in Rhinelander, Wisconsin, and the Lakeland Outreach Center located in Minocqua, Wisconsin.

The Clery Act has recently been amended by the Violence Against Women Act (VAWA), and the College is required to publish an annual security report. This report contains valuable information for all students and staff. Please take a few moments of your time to review the contents of this report and use it as a resource for your various safety and security needs.

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

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

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

Have a safe and successful year at Nicolet College.

Sincerely,



Matthew R.S. Schur,
Director of Risk, Compliance, and Security

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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 *Care Team* (Care) 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 Care Team 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, take other appropriate actions outlined in the College's Emergency Response Plan, or initiate contact with law enforcement or emergency personnel.

The *Student Conduct Committee* is a standing committee appointed annually by the Director of Risk, Compliance, and Security. The committee membership includes one dean, one instructor, a counselor, and the Director of Risk, Compliance, and 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 Students

Under Board of Trustees policy BP 4.03, students have the right, using the Complaint and Grievance Procedure for Nicolet College Students, to:

- appeal sanctions imposed for behavioral or academic misconduct;
- contest a policy or practice of the College or College staff that is considered improper or unfair, or;
- contest situations where there has been deviation from or misapplication of a policy or practice unrelated to discrimination.

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 the student initiating the complaint procedure. The College employee will also inform the student of the appeal process.
2. If resolution is not achieved at the College employee level, 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 the student initiating the appeal.
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 the student initiating the Vice President or designee appeal. 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 written grievance.

Step 2- Grievance Procedure

1. If the student is unable to resolve a complaint using the complaint procedure described above, the grievance must be filed in writing 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. Written grievances 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 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.
4. A Grievance Committee will be appointed by Human Resources at the time of the grievance filing.
5. A Vice President or designee not involved previously in the process, or their designee, will serve as the investigating officer in the grievance.
6. The investigating officer will:
 - a. Meet with the student and the employee separately.
 - b. Examine documentation and interview witnesses.
 - c. Consult with the employee's supervisor.
 - d. Prepare a written investigative report within five (5) days of the grievance filing.
 - e. Copies of the investigative report will be forwarded to the Grievance Committee, the student, the employee, and the appropriate administrator(s).
7. 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.
 - c. Within two (2) days of receiving the investigative report, the Committee's written decision will be sent to Human Resources who will notify the grievant and the involved individuals of the decision.
8. 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 why the student feels a hearing is warranted. 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.
9. If a hearing is held (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 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.
 - c. The student and the employee will be permitted to have a third party of their choosing to act as advisor and counsel.

- d. 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.
 - e. 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.
10. 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 - Complaint procedure before moving to the Step 2 - Grievance procedure.

Timeline Requirements

If the College fails to give a written answer at Steps 1 or 2 within the designated timeframe, the student may immediately proceed to the next step. Failure by the student to meet applicable deadlines may be the basis for dismissal of any complaint. If it is impossible to comply with the time limits specified because of extenuating circumstances, these time limits may be extended by mutual consent in writing.

Wisconsin Technical College System (WTCS) Complaint Process

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, available at the [Wisconsin Technical College System Student Complaints website](#).

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.

DRUG FREE SCHOOLS AND COMMUNITY ACT

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.

Tobacco (All Forms)

- **Mouth, Larynx and Esophagus**—Smokers have three times as many cavities as non-smokers. 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.
- **Bronchial Tubes and Lungs**—Smoking causes the lungs and bronchial tubes 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 a half 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: [Wisconsin Epidemiological Profile on Alcohol and Other Drug Use, 2012](#) or [Alcohol and Other Drug Use Statistics](#).

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 year 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 possessions of a controlled substance that results in death or bodily injury. Possession of more than 5 grams of cocaine can trigger intent to distribute penalty of 10-16 years in prison, U.S.S.G.s. 2D2.1(b)(1). Additional federal sanctions are located at the following link: [Title 21 United States Code \(USC\) Controlled Substances Act](#)

Wisconsin

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. Statute 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.

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 specific information regarding **underage drinking laws** and [drinking/driving laws](#), contact the Campus Security Department at 715-365-4420.

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

The College will adhere to all federal, state, tribal, and local laws concerning the use of alcohol and other drugs and will support efforts to address violations of these laws.

The College recognizes that the use of alcohol and other drugs may impair performance or safety, may interfere with proper functioning or behavior, and in certain instances leads to dependency. The College also recognizes that such chemical dependency is a serious illness. An employee or student

needing help with dependency is encouraged to seek the appropriate medical and other community resources.

Possession, manufacturing, sale, distribution, unauthorized use, or being under the influence of controlled substances, illicit drugs, or alcohol by anyone while on College-controlled property, at any College-sponsored or related activity, or while operating a College-owned/leased vehicle is strictly prohibited. Violations of this policy will result in disciplinary action.

Exceptions

Drugs prescribed by a person licensed to prescribe or dispense controlled substances, or drugs used in accordance with their instructions, are not subject to this policy. Students or employees using any substances or drugs that cause drowsiness or other side effects that may impair their ability to perform their tasks properly and safely are obligated to inform the supervisor and/or instructor of such medications. Individuals will not be allowed to operate equipment or perform activities that have the potential for injury to themselves or others if impairment is suspected.

The use of alcohol 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, or controlled use in law enforcement training.

A written request must be submitted to the President for authorization to use or serve alcohol at the College. A licensed bartender and valid liquor license or licensed catering service is required when providing alcohol at College functions.

Documenting Authorized Use

Documentation of Authorized Use shall be maintained in the office of the Director of Risk, Compliance, and Security.

Referral of Suspected Violations

In an emergency, call 911. Employees must refer anyone showing behavioral evidence of alcohol or illegal drug use to Campus Security or the Emergency Response Team.

Employees must refer to the Behavioral Intervention Team (BIT), as outlined in the Emergency Response Guide, any individual under the following circumstances:

- Believed to be in violation of this policy.
- Exhibiting signs, symptoms, or indications of an alcohol or other drug-related problem.
- Self-disclosing of alcohol/drug-related use which places them or others at risk or in imminent danger.
- Judged to present a risk of imminent danger to self or others.

Self-Reporting for Student Citation, Arrest, or Conviction

In the event that a student is cited or arrested for an alcohol or drug-related offense while involved in a College-related activity (on- or off-campus), the student must notify the Director of Risk, Compliance, and 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 may be taken to and including expulsion.

Self-Reporting for Employee Citation, Arrest, or Conviction

In the event that employees are cited or arrested for an alcohol or drug-related offense while involved in a College-related activity (on- or off-campus), the employees must notify their 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.

As mandated by the Drug Free Workplace Act of 1988, employees must, as a condition of employment, report any criminal drug statute conviction 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. Failure to provide this notification in the required timeframe will result in appropriate disciplinary action, up to and including termination.

Employees may be required to participate in an appropriate rehabilitation program. Successful completion of employment of an appropriate program, including an after-care plan, may be a requirement for continued employment. Failure to provide this notification in the required timeframe will result in appropriate disciplinary action, up to and including termination.

Reasonable Suspicion

The College may require an employee to consent to testing for the use of alcohol, illegal drugs, or unauthorized use of prescription drugs for any of the following reasons:

- Reasonable suspicion.
- Employee involvement 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.

Employee withholding consent for required testing may be subject to disciplinary action.

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. Violations of this policy, confirmed positive test results, or refusal to consent to testing, may result in disciplinary action pending a thorough investigation by the College.

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.

Off-Campus

The Wisconsin Department of Health and Social Services, through its Division of Community Services, publishes a comprehensive pamphlet listing facilities around the state that provide treatment for drug and alcohol addiction. To obtain a copy of this pamphlet, entitled [Wisconsin Alcohol and Drug Abuse Services Directory](#), write to the following address: Wisconsin Clearinghouse, University Health Services; 1552 University Avenue, Madison, WI 53705.

As part of the University Health Services at the University of Wisconsin-Madison, the mission of the Wisconsin Clearinghouse is to help schools, families, and communities to lead healthy and productive lives. The Wisconsin Clearinghouse has been disseminating information and providing alcohol and drug abuse prevention products and services nationally and state-wide for more than 20 years. The Wisconsin Clearinghouse publishes a sales catalog that lists more than 300 alcohol and drug abuse awareness and prevention materials (i.e., videotapes, software, curricula, activity books, pamphlets, and posters). If you'd like to receive a free catalog by mail, e-mail your request to the Wisconsin Clearinghouse: wchpr@www.uhs.wisc.edu.

The Prevention Resource Center is a statewide program of the Wisconsin Clearinghouse that provides an array of services to non-profit, private and public sector organizations and educators throughout Wisconsin. Services include disseminating alcohol and drug abuse awareness and prevention-related materials, lending curricula, videos and books, and providing technical assistance in such areas as grant writing and program evaluation. Staff also present ideas and information at conferences and workshops. The Wisconsin Clearinghouse also mails the "Prevention Package" to more than 500 sites, providing information on new publications, successful programs, and a calendar of upcoming conferences and training events. The "Prevention Outlook" newsletter is also published, with up-to-date articles on important issues in the prevention field. [Revised 1/97]. Other resources can be found in the telephone book (yellow pages) under *Alcoholism Information and Treatment Centers*.

Additional Drug and Alcohol Abuse Information:

- National Clearinghouse for Alcohol and Drug Information
800-622-2255 (to identify a NCADD affiliate nearby)
- Alcoholics Anonymous (AA) National Office
212-870-3400
- Wisconsin Alcoholics Anonymous (AA) Crisis Hotline
800-729-6686

- Northern Wisconsin Alcoholics Anonymous (Area 74, District 10)
715-367-7920
- Al-Anon Family Group Headquarters, Inc.
800-356-9996
- Wisconsin Narcotics Anonymous- Woods & Waters Area Service Committee (WWASC; serving the Rhinelander/Minocqua area)
866-310-9077

Outpatient Services

Kohler Behavioral Health
622 Mason St.
Rhinelander, WI 54501
715-369-2215 (Local)
888-299-1188 (Toll Free)

Kohler Behavioral Health
150 Hospital Rd.
Eagle River, WI 54521
715-479-4585 (Local)
888-299-1188 (Toll Free)

Kohler Behavioral Health
311 St. P.O. Box 470
Woodruff WI, 54568
715-356-8540 (Local)
888-299-1188 (Toll Free)

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

Ministry Behavioral Health
Riverside Clinic
1020 Kabel Avenue
Rhinelander, WI 54501
715-361-2805 (Outpatient Services)
715-361-2020 (Inpatient Services)

Ministry Behavioral Health
Eagle River Area
930 E. Wall Street
Eagle River, WI 54521
715-479-4585 (Local)

North Central Health Care Facilities
Langlade Health Care Center
1225 Langlade Rd
Antigo, WI 54409
715-627-6694 (Local)
800-799-0122 (Toll Free)

Human Service Center
PO Box 897
Rhinelander, WI 54501
715-369-2215 (Local)

Transitions Center
22 N. Pelham Street
Rhinelander, WI 54501
715-365-6696 (Local)

Options Treatment Programs, Inc.
Eagle River 715-477-2875 (Local)
Minocqua 715-356-5377 (Local)
Rhinelander 715-369-7300 (Local) 888-222-1188 (TF)

Crisis Intervention

Brown County Crisis Line (covers Forest, Iron, Oneida, Vilas) a confidential/24 hour crisis line
888-299-1188 (TF)

TRI-County Crisis Line; a confidential, 24-hour, 7-days-per-week crisis line
800-236-1222 (TF)

Tribal Resources

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

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

Forest County Potawatomi Tribal Center
Crandon, WI 54520
715-478-4370 (AODA Services)

Inpatient Services/AODA

Memorial Medical Center
Behavioral Health Services
1635 Maple Lane
Ashland, WI 54806
715-685-5400 (Local)
800-472-2800 (Toll Free)
715-682-8217 (24-Hour Crisis Hotline)

Inpatient Services (Mental Health)

Sacred Heart/St. Mary's Hospital
Rhineland, WI 54501
715-361-2020 (Local)
800-472-7821 (Toll Free)

Residential Treatment Facilities

Koinonia (Adult-only Treatment Facility)
Rhineland, WI 54501
715-362-5745 (Local)
800-864-3009 (Toll Free)
888-299-1188 (Toll Free, Mental Health Crisis Hotline)

How to Help**Warning Signs**

(Information taken from the Wisconsin Clearinghouse)

If you know someone who has problems related to drinking alcohol or other drug use, you're not alone. You don't have to be an expert to know if your friend has a problem. If he/she has these kinds of troubles related to alcohol or other drugs, your friend may need to talk with someone. Does he/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 your care and suggest ways to get help. Only your friend can make the final decision to get help.

CAMPUS SECURITY POLICY (AP 3.01)

Campus Reference Materials

Complete information related to the above-listed areas is contained in the following media:

- College Safety and Security Resource Guide
 - This document is compiled annually and contains all of the 20 USC Sec. 1092(F) Clery Act reporting requirements, Section 304 of the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4), and Family Education Rights and Privacy Act (FERPA) 20 USC Sec.1232(g) notification. The guide is emailed prior to October 1 each year to all employees and to students enrolled in credit courses.
- Annual Clery Crime Statistics
- Emergency Response Guide
 - This is a quick reference guide for various emergency situations. The guide is provided to all new employees and can be found in all classrooms.
- Emergency Response Plan
 - This is a complete detailed document for all emergency responses and business continuity planning. The document is only intended for use by the Emergency Response Team and emergency responding agencies.

Campus Security Authorities

- Members of the Behavioral Intervention Team
- Members of the Emergency Response Team
- Campus Security Staff
- Student Conduct Committee
- Human Resources Staff
- College Administration

Emergency Contact Number

Police, Fire, and Medical 911

Non-Emergency Contact Numbers

Care Team	715-365-4932
Campus Security	715-365-4420
Emergency Response Team	715-365-4999
Facilities	715-365-4419
Information Technologies Department	715-365-4478
Welcome Center	715-365-4493
Minocqua Police Department	715-356-3234
Oneida County Sheriff's Department	715-361-5100

Security and Access to Campus Facilities

The College has Campus Security; however, they do not have arrest powers. The security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the College. College security officers have the authority to issue parking tickets, to issue College tobacco violation tickets, and to enforce College policy.

The College uses local law enforcement agencies that have jurisdiction over the Campus and Outreach Centers to investigate and enforce ordinances and criminal laws. The Oneida County Sheriff's Department has jurisdiction over the Rhinelander Campus. The Minocqua Police Department has primary jurisdiction over the Lakeland Outreach Center. These departments periodically patrol both locations.

The College is a non-residential college and therefore does not provide 24-hour security coverage. Facilities and security personnel patrol the grounds of the Rhinelander Campus while the campus is open. College staff regularly check outdoor pathway lighting and egress lighting in hallways and stairwells. Facilities personnel also maintain the Lakeland Outreach Center.

The Rhinelander Campus and the Lakeland Outreach Center are accessible to students, staff, and the general public during normal business hours. However, the campus grounds at both locations are open to vehicular and pedestrian access 24 hours a day, seven days a week. The College-controlled buildings are locked when not in use. All buildings on the Rhinelander Campus and the Lakeland Outreach Center use a card access system and digital video systems.

The College does not have any officially-recognized student organizations with off-campus locations.

Possession, Use, and Sale of Alcohol and Illegal Drugs

As outlined in Alcohol and Drug Use AP 4.05, 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 is available in the College Safety and Security Resource Guide. Sanctions for individuals who violate College policies may include expulsion and/or termination from the College, with referral to local law enforcement for violations of local ordinances and criminal laws.

Care Team

The Care Team (Care) receives all reports of behavioral concerns. Care 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 or concerning behavior, should be reported to Care. These reports can remain anonymous. Care can be contacted by calling the number listed above, submitting an electronic [Student Alert Report](#) form, or sending an email message to CareTeam@nicoletcollege.edu.

Emergency Response Guide and Evacuation Procedures

Each classroom has a hardcopy or electronic access to an Emergency Response Guide and maps indicating what to do in the event of most emergency situations. This includes shelter locations for severe weather and evacuation routes and staging areas for fire emergencies. The Emergency Response Guide can also be viewed on the College website. The College holds evacuation and/or shelter in place drills at least once each academic year. The College also conducts safety and security related tabletop exercises in new employee orientation. Please review the Emergency Response Guide regularly to be prepared in the event of an emergency.

Crime Prevention and Security Procedures

The College prohibits domestic violence, dating violence, sexual assault, stalking, and any other criminal activities. Crime prevention, security procedures, and practice information is presented during new student and employee online orientations, and periodically during in-service training. This online new student and employee orientation, and the crime prevention and security procedures covered include primary prevention and awareness programs that promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. The orientation includes the following information:

- A statement that the College prohibits these and other criminal offenses;
- The definition of the specific offenses listed above;
- The definition of consent, with reference to sexual offenses;
- “Safe and positive” options for bystander intervention an individual may take to “prevent harm or intervene” in risky situations;
- Recognition of signs of abusive behavior and how to avoid potential attacks; and
- Ongoing prevention and awareness campaigns for students and staff on all of the above.

In addition, facilities and security personnel conduct routine inspections and patrol buildings and grounds to identify and correct deficiencies. Being proactive is preferable to being reactive. Crime prevention is based upon the dual concepts of eliminating or minimizing criminal opportunities

whenever possible and encouraging students and staff to be responsible for their own security and the security of others. The following is a list of campus crime prevention tactics that may reduce the risk of becoming a victim:

- Walk on established walkways. At night, walk on lighted walkways.
- Always lock your vehicle.
- If on campus in the evening, park close to the building in lighted areas and walk with others.
- Items of value left in vehicles should be placed out of sight.
- Never leave items of value unattended.
- Promptly report any suspicious behavior to Campus Security or the ERT.
- Always lock doors in unattended office areas.
- Never give out computer passwords.
- When working during non-business hours, inform family and colleagues of location and schedule.

Recommended security procedures are located in the College Emergency Response Guide.

Sexual Assault

Sexual assault is an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Consent is defined as “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”. Minors (under the age of 18), persons suffering from mental illness or defect, and sleeping or unconscious persons are presumed unable to give consent. Failure to resist does not indicate consent. Ch. 940.225(4), Wis. Stats.

Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities as forced sexual intercourse, forcible sodomy, child molestation, sexual assault of a child, incest, fondling, and attempted rape.

Information and resources related to sexual assault can also be found in the College Safety and Security Resource Guide.

Sexual Assault Prevention

The College offers the following guidelines to aid in preventing sexual assault. Additional guidance and specific training information can be obtained from the agencies listed in the College Safety and Security Resource Guide.

The following information can also be referenced at The Wisconsin Coalition against Sexual Assault at <http://www.wcasa.org>.

Rohypnol and GHB are the most commonly referred to as “club drugs” and are the most frequently used in drug-facilitated rapes. The chemicals are often colorless, odorless, and tasteless, and as a result, the victim often unknowingly ingests the chemical after a perpetrator has mixed it into an unattended drink. Therefore, it is strongly suggested that you do not accept beverages that have

already been opened. Accept drinks only from service workers such as bartenders, and do not leave your drink unattended.

Please keep in mind that nearly 7 in 10 (70%) of sexual assault victims knew their attacker. It is reported that drugs and alcohol are an important influencing factor in non-stranger (date/acquaintance) rape.

You may be able to reduce your risk by following these recommendations:

- Park/walk in well-lighted areas and follow the other pertinent crime prevention strategies listed under Crime Prevention above.
- Trust your instincts. If the situation feels uncomfortable, leave immediately.
- Be assertive. Expect respect.
- Stay sober and be aware of date-rape drugs. Don't leave your drink unattended.
- Do not accept food or drinks that are opened or not directly from the server.
- Be cautious when inviting someone into your home or going to someone else's home.
- Use a buddy system. Always make sure that someone else knows who you are with, where you will be, and when you are expected to return.
- Carry a cell-phone and/or have money available for a phone call or transportation to get away if necessary.

Sex Offender Information

In 1997, the State of Wisconsin enacted the Sex Offender Registration and Community Notification Law. The law was created to monitor and track people convicted of sex crimes and to provide access to this information for police, victims, and the general public. Information on registered sex offenders since 1995 in this state can be obtained on the web at <http://offender.doc.state.wi.us/public/> or you may call 608-240-5830 between 7:45 a.m. and 4:30 p.m., Monday through Friday.

Wisconsin Victim Rights

- To be treated with fairness, dignity and respect for your privacy.
- To not have personal identifiers including email disclosed or used for a purpose unrelated to the official duties of an agency, employee or official.
- To be informed of your rights and how to exercise those rights.
- To information regarding the offender's release from custody.
- To be notified of a decision not to prosecute if an arrest has been made.
- To speak with (confer) the prosecutor representative upon your request, about the possible outcome of the case, potential plea agreements and sentencing options.
- To attend court proceedings in the case.
- To be notified of the time, date and place of upcoming court proceedings, if you so request.
- To be provided with a waiting area separate from defense witnesses.
- To a speedy disposition of the criminal case.
- To have your interests considered when the court is deciding to grant a request for a delay (continuance).
- To be notified if charges are dismissed.
- To be accompanied to court by a service representative. This right is limited to specific types of crimes.
- To ask for assistance with your employer if necessary, resulting from court appearances.

- To request an order for, and to be given the results of, testing the offender for sexually transmitted diseases or HIV. This right is limited to specific types of crimes.
- To provide a written or oral victim impact statement concerning the economic, physical and psychological effect of the crime upon you to be considered by the court at sentencing.
- To have the impact of the crime on you included in a presentence investigation.
- To be provided sentencing or dispositional information upon request.
- To restitution as allowed by law.
- To a civil judgment for unpaid restitution.
- To compensation for certain expenses as allowed by law.
- To have your property expeditiously returned when it is no longer needed as evidence.
- To be notified of the offender's eligibility for parole and to have input into the parole making decision.
- To be notified by the Department of Corrections of specific types of releases, escapes or confinements as provided by law.
- To be notified of a pardon application to the governor and to make a written statement regarding the pardon application.
- To contact the Department of Justice about any concerns you may have about your victim rights.
- To apply for a judicial restraining and/or other no-contact orders. The College can assist with the enforcement of these orders.

Sexual Assault Bill of Rights

- Survivors shall be notified of their options to notify law enforcement.
- Alleged victim and alleged offender must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic situations.

Crime Reporting Procedures

The College encourages prompt and accurate reporting of all crimes, assaults, or suspicious behavior. If any offense occurs on a College-controlled premise, during a College-sponsored event, at an off-campus event, or even off-campus, the College recommends that victims immediately report any offense to local law enforcement. Key contact numbers are found in the *Emergency Response Guide* located in Nicolet College buildings, classrooms, and on the College website. When safe to do so, report the incident to Campus Security or the ERT who will take action and issue a timely warning if the perpetrator remains at large while making every effort to not identify the victim.

The College crime reporting policy requires all staff to report crimes and/or suspicious behavior to Campus Security, the ERT, or law enforcement. When deemed appropriate, college officials will involve local law enforcement agencies. All crime information (including anonymous reports) reported to Campus Security and/or the ERT is recorded in the *Daily Crime Log*. If the crime is deemed to meet a Clery Act Reportable category, it is included in the annual Clery report. All crimes and behavioral violations (student and staff) are recorded and maintained by the Director of Risk, Compliance, and Security.

While the College does not employ pastoral or professional counselors on staff to work with victims, it can assist students by providing information on various private and public options for such services.

Emergency Crime Reporting Procedures

In the event of an emergency call **911** immediately. An emergency situation can be defined as any event that may pose a significant threat to the life, safety, or health of students and/or employees. After contacting authorities, call or contact any College employee. Then, if the situation allows, call the Emergency Response Team (ERT). Students should follow the directions of College staff and emergency services personnel during an emergency.

Crimes may be reported anonymously

To report a crime and/or dangerous situation anonymously, contact Campus Security or the ERT and inform them of your wish to remain anonymous. The College will honor an individual's request to remain anonymous. This same process can also be followed when making reports to local law enforcement.

Fire Safety Report and Missing Student Notification Procedures

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

Reporting Domestic Violence, Dating Violence, Sexual Assault, Sexual Violence, and Stalking

See AP 3.07

Timely Warning of Potential Threats

In the event a significant emergency, an ongoing or continuing threat to personal safety, or dangerous situation arises, a timely warning will be issued. The decision to issue a timely warning will be based on information and facts received by the College and if possible verified by outside agencies (law enforcement, Emergency Management, Health Department, National Weather System, etc.). The ERT will determine the content of the notification and when to initiate the notification system. Notification may be delayed when professional judgment of outside emergency response agencies indicates immediate notification would compromise safety and security.

In situations that may pose an immediate physical threat to members of the campus community (e.g., murder, severe weather, fire, gas leak) ERT may issue warnings through the College Informacast System, RAVE Mobile Safety, and/or email system to students and employees. Depending on the situation, other notification processes may be used (i.e. Blackboard posting, fire alarms, tornado sirens, and media releases). The Clery Act mandates that, for crimes considered a threat to other students and employees, victims' names be withheld.

The ERT may also determine there is a specific segment of students and staff who need notification. This decision will be made in conjunction with the appropriate outside agency. If that is the case, the ERT will make a determination of how to best convey that information to the specific segment.

Anyone with information warranting a timely warning should report the circumstances to the ERT immediately.

College Student and Employee Conduct Investigations Related to Domestic Violence, Dating Violence, Sexual Assault, and Stalking

AP 3.07

Disclosure of Student Disciplinary Proceedings for Violent Crimes or Non-forcible Sex Offenses

The alleged victim of a crime of violence or a non-forcible sex offense may make a written request for disclosure of the results of any disciplinary hearing conducted by the College against the student who is the alleged perpetrator of the crime or offense.

If the alleged victim is deceased as a result of the crime or offense, the next of kin of the alleged victim shall be treated as the alleged victim in relation to disclosure. The College will provide the results of the disciplinary hearing to the alleged victim's next of kin, if so requested.

Daily Crime Log

The purpose of the daily crime log is to record criminal incidents and alleged criminal incidents reported to Campus Security. Crime log entries include all crimes reported to Campus Security for the required geographic locations, not just Clery Act crimes. The crime log discloses specific information about criminal incidents, not crime statistics. The log is designed to disclose crime information on a timelier basis than the annual statistical disclosures. The victims' confidentiality will be protected, including record-keeping that excludes personally identifiable information on victims. This includes crimes that are reported directly to Campus Security, as well as crimes that are initially reported to another campus security authority (Care, ERT, and Security Staff) or to a local law enforcement agency who subsequently reports them to Campus Security.

An entry, an addition to an entry, or a change in the disposition of a complaint is recorded within two business days of the receipt of the information by Campus Security. Updates to the disposition of a crime log entry will not be made if 60 business days have passed from the date of the entry. A business day is Monday through Friday, except for days when the College is closed. The only exceptions to this rule are:

- If the disclosure is prohibited by law; or
- If the disclosure would jeopardize the confidentiality of the victim.

Campus Security may temporarily withhold information if there is clear and convincing evidence that the release of information would:

- Jeopardize an ongoing investigation;
- Jeopardize the safety of an individual;
- Cause a suspect to flee or evade detection; or
- Result in the destruction of evidence.

However, the information will be added to the daily crime log once the adverse effect is no longer likely to occur.

The Daily Crime Log is located on the College website on the security page. A hard copy is maintained by Campus Security located in the Birchwoods Center, Room 101.

TITLE IX AND VIOLENCE AGAINST WOMEN ACT/CLERY COMPLIANCE **([AP 3.07](#))**

Background Information

The College is bound by, and supports, all applicable laws. The Title IX of the Higher Education Act of 1972 ensures the College does not discriminate on the basis of sex in its education programs and the Campus Sexual Violence Elimination Act (SAVE) of 2013 and Violence Against Women Reauthorization Act (VAWA) ensures that colleges and universities implement policies and programs to prevent sexual harassment, sexual assault, stalking, relationship based violence, and hate crimes.

The College does not discriminate on the basis of gender, gender identity, or sexual orientation in administration of its educational policies, admissions policies, scholarship and loan programs, and other College-administered programs or in its employment practices. Students, instructors, and staff are subject to various federal, state and local laws, which regulate civil and criminal conduct. Title IX of the Higher Education Act of 1972, Title IX prohibits discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual assault and harassment are forms of sex discrimination that are illegal under Title IX. Sexual assault is an act of sexual violence, which involves any form of sexual contact or conduct without a person's consent. Title IX and the SAVE Act of 2013 ensure that colleges and universities implement policies and programs to prevent sexual harassment, sexual assault, stalking, relationship based violence, and hate crimes.

Individuals are encouraged to direct Title IX questions, concerns, and complaints to the Title IX Coordinator, the appropriate employee, or Deputy Coordinator for Students. If a Title IX Coordinator is alleged to be the person who engaged in discrimination or sexual misconduct, the report may be filed with another of the named offices or with a Vice President. Complaints can also be filed with the Office of Civil Rights (OCR). The OCR encourages complainants to follow the College's process prior to filing a complaint with OCR; however, it is not required. Generally, complaints must be filed with OCR within 180 days of the alleged event.

Complaints can be filed with OCR via email at ocr@ed.gov and by completing an electronic complaint form at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

Consistent with federal and state law and the intended culture of the College, the College strives to provide a safe and welcoming campus environment. In order to attain this goal, the College seeks to provide safety, privacy and confidentiality where possible, and support to victims of sexual assault and violence at the main College campus and Outreach Centers. The College offers educational programming to promote the awareness and prevention of rape, acquaintance rape, sexual assault, sexual harassment, domestic violence, dating violence, and stalking. There are instances where conduct or content of a sexual nature is a legitimate part of the curriculum; whereas, the same conduct might be sexual harassment in another context. Reports involving violations of this policy will be taken seriously and incidents will be responded to in a prompt and equitable manner.

In compliance with guidelines distributed by Office of Civil Rights (OCR), in their 2011 Dear Colleague Letter, the College uses a "preponderance of the evidence" (more likely than not) standard for

determining responsibility. This is different than the “beyond a reasonable doubt” standard used in a criminal investigation.

The College prohibits sexual harassment, sexual assault, stalking, relationship based violence, and hate crimes.

Affected Relationships

Laws and the requirements of this policy affect all relationships within the College community, including, but not limited to:

- student relationships with other students;
- instructor and staff conduct toward students;
- student conduct toward instructors and staff;
- conduct between members of different genders;
- conduct between members of the same gender;
- conduct between campus visitors and students or employees; and.
- conduct toward persons outside the College community may be considered a violation of this policy if the College concludes there is a sufficient connection between the conduct and the College to warrant the College taking action.

The College believes in a zero tolerance policy for the following types of misconduct:

- gender-based;
- relationship violence; and
- stalking.

When an allegation of misconduct is brought to an appropriate employee or student Deputy Coordinator’s attention, and a respondent has been found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are not repeated. This policy has been developed to:

- reaffirm these principles;
- provide recourse for individuals whose rights have been violated;
- define community expectations; and
- identify when expectations have been violated.

On-campus violations include any violation which occurs: within the geographic confines of the College, including its land, institutional roads and buildings, its leased premises, common areas at leased premises, the property, facilities, and leased premises of organizations affiliated with the College.

Because off-campus events can impact the learning environment while a student is attending, the College will also consider the effects of off-campus sexual misconduct, relationship violence, harassment and stalking when evaluating whether there is a hostile environment on-campus or in an off-campus education program or activity. Students should be aware that off campus violations that have a downstream effect on the College or its students are subject to disciplinary sanctions. As examples, sexual misconduct, relationship violence, stalking, and harassment are within the College’s interest when the behavior:

- involves conduct directed at or by a College student or other member of the College community (e.g. outside employment);
- occurs during College-sponsored events (e.g. field trips, social or educational functions, College-related travel, student recruitment activities, internships and service learning experiences);
- occurs during the events of organizations affiliated with the College, including the events of student organizations;
- occurs during a Study Abroad Program or other international travel; or
- poses a disruption or threat to the College community.

The College cannot fully address the continuing effects of off-campus sexual misconduct, relationship violence, stalking, or harassment on campus or in an off-campus education program or activity unless it processes the complaint and gathers appropriate additional information in accordance with its established procedures.

Overview of Policy Expectations with Respect to Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals with unequal authority (such as an instructor and student or supervisor and employee). These relationships may be less consensual than perceived by the individual in a position of authority. The relationship also may be viewed in different ways by each of the individuals, particularly in retrospect. Furthermore, circumstances may change, and conduct previously welcomed may become unwelcome and a consensual romantic or sexual relationship may no longer be consensual for both individuals. For the personal protection of all individuals associated with the College, relationships in which there may be real or perceived authority (instructor-student, staff-student, and administrator-student) are prohibited.

A consensual romantic or sexual relationship in which there is a direct supervisory or evaluative role over another individual is in violation of the [Employee Code of Conduct AP 4.01](#). Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the immediate attention of their supervisor so arrangements to remedy the supervisory or evaluative conflict can be implemented.

Definitions and Processes

In addition to the following definitions, the Wisconsin statutory definitions of violent acts against persons are included in the appendix of this policy.

Days

Days is defined as Monday through Friday when the College is open for business. Weekends, holidays, and days when the College is closed are excluded.

Coercion

Coercion is defined as compelling someone to act based on:

- an unreasonable amount of pressure;
- harassment;
- threats; or
- intimidation.

When someone makes clear that he or she does not want to engage in sexual conduct, wants it to stop, or does not wish to go past a certain point of sexual interaction, continued pressure beyond that point is coercive.

Consent

Consent is informed, knowing and voluntary participation in any desired sexual activity. Sexual intimacy requires that all participants consent to the activity. Consent between two or more people is defined as an affirmative agreement to engage in sexual activity. Consent can be given by words or actions, as long as those words and actions create a clear and mutually understandable permission regarding the conditions of sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of his or her actions when giving the consent. Lack of protest or resistance does not constitute consent, and silence alone cannot be interpreted as consent. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in sexual activity are responsible for obtaining consent—it should never be assumed. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Previous relationships or consent cannot imply consent to future sexual acts.

Consent is defined as “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”. Minors (under the age of 18), persons suffering from mental illness or defect, and sleeping or unconscious persons are presumed unable to give consent. Failure to resist does not indicate consent. [Ch. 940.225\(4\), Wis. Stats.](#)

Consent must be present throughout the sexual activity—at any time, a participant can communicate that he or she no longer consents to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.

A person who is incapacitated cannot give consent to engage in sexual activity. The issue is whether a reasonable unimpaired person would know that the other person was incapacitated. Incapacitation can result from alcohol or other drug use, unconsciousness, blackout, mental disability, sleep, involuntary physical restraint, or from being drugged. A respondent cannot defend a violation of this policy by claiming that he or she was impaired from alcohol or drug use and unable to tell whether the complainant was incapacitated.

The College may conclude that an instance of sexual contact was sexual assault, because it was without another person’s consent, even if that conduct would not meet the standard of a criminal sexual assault. For example, it is possible the College would conclude under some circumstances that a person who was intoxicated on alcohol could not consent, and therefore, did not give consent to sexual contact, even though the criminal courts might not reach the same conclusion.

Harassment

Harassment and sexual harassment are defined in [Anti-Harassment Nondiscrimination BP 4.02](#). The College does not tolerate harassment. Victims of harassment or sexual harassment on College-controlled premises or at College-sponsored events should notify Campus Security. Employees who engage in harassment will be subject to disciplinary action and/or termination. Students who engage in harassment are subject to the Standards of Conduct and will face disciplinary action up to and

including expulsion. Community members engaging in harassment will be referred to local law enforcement.

Individuals who have been a victim of harassment, sexual harassment, and/or have a restraining order against another individual should inform Campus Security. This is especially important if the person who is the object of the restraining order is a student or employee at the College. The College will take all steps necessary to comply with the restraining or protection order.

Reports of violent and other criminal incidents related to harassment and/or sexual harassment will be included in the annual security report as required under the Clery Act and VAWA. Sexual harassment includes:

- unwelcome sexual advances or requests for sexual favors;
- unwelcome verbal or physical conduct of a sexual nature;
- making submission to, or rejection of, such conduct a factor in academic or employment decisions affecting the student or employee;
- permitting such conduct to unreasonably interfere with a student's academic performance or an employee's work performance;
- unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature or submission to or rejection of such conduct results in adverse educational or employment action (Quid pro quo); or
- adverse educational or employment action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct (retaliatory harassment).

Examples of Sexual Harassment:

- An instructor insists that a student have sex with him or her in exchange for a good grade. This is harassment regardless of whether or not the student submits to the request.
- A student repeatedly sends sexually oriented jokes through social media, even when asked to stop, causing one recipient to avoid the sender.
- Explicit sexual pictures are displayed in an instructor's office, on a bulletin board in a lab, or on a computer monitor in a public space.
- An instructor engages students in discussions about their past sexual experiences, yet the conversation is not in any way relevant to the subject matter of the class. An instructor probes for explicit details and demands that students answer although they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend turning him into a social outcast on campus.

Hate Crime

The victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

Hostile Environment

Hostile environment includes any situation in which there is harassing conduct that is sufficiently severe, persistent or pervasive such that it alters the conditions of employment or limits, interferes with, or denies educational benefits or opportunities, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint.

The determination of whether an environment is “hostile” must be based on all of the circumstances listed here. These circumstances may include, but are not limited to:

- the frequency of the conduct;
- the nature and severity of the conduct;
- whether the conduct was physically threatening;
- whether the conduct was humiliating;
- the effect of the conduct on the alleged victim’s mental or emotional state;
- whether the conduct was directed at more than one person;
- whether the conduct arose in the context of other discriminatory conduct; and/or
- whether the conduct unreasonably interfered with the alleged victim’s educational or work performance.

Other Misconduct Offenses (when gender based):

- threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
- intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another; or
- bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control, or diminish another person, physically or mentally.

Relationship Violence

Relationship violence is conduct in which the parties involved know each other or had a prior relationship and may include acquaintance rape, dating violence, and domestic violence.

Relationship Dating Violence

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors:

- length of the relationship;
- type of relationship; and
- frequency of interaction between the persons involved in the relationship.

Relationship Domestic Violence (Abuse)

According to [Ch. 968.075, Wis. Stats.](#), “domestic abuse” means any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided, or against an adult with whom the person has a child in common:

- intentional infliction of physical pain, physical injury, or illness;
- intentional impairment of physical condition;
- violation of Wisconsin sexual assault laws; or
- physical act that may cause the other person reasonably to fear imminent engagement in the conduct described in above listed bullet points.

Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical,

sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

- **Physical Abuse:** Hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, etc. are types of physical abuse. This type of abuse also includes denying a partner medical care or forcing alcohol and/or drug use upon him or her.
- **Sexual Abuse:** Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.
- **Emotional Abuse:** Undermining an individual's sense of self-worth and/or self-esteem is abusive. This may include, but is not limited to constant criticism, diminishing one's abilities, name-calling, or damaging one's relationship with his or her children.
- **Economic Abuse:** Is defined as making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding one's attendance at school or employment.
- **Psychological Abuse:** Elements of psychological abuse include, but are not limited to, causing fear by intimidation; threatening physical harm to self, partner, children, partner's family or friends; destruction of pets and property; and forcing isolation from family, friends, or school and/or work.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.

Sources: National Domestic Violence Hotline, National Center for Victims of Crime, and WomensLaw.org.

Retaliation

Retaliating directly or indirectly against a person who has, in good faith, filed, supported, or participated in an investigation of a complaint of sexual misconduct, relationship violence, or stalking, as defined above, is prohibited. Depending on the circumstances, retaliation may be unlawful and may constitute a violation of this policy, whether or not the Title IX, or relationship violence and/or stalking complaint is ultimately found to have merit. Retaliation includes, but is not limited to following:

- ostracizing the person;
- pressuring the person to drop or not support the complaint;
- providing false or misleading information;
- engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment; or
- similar conduct engaged in by a third party at the complainant's or respondent's request.

Sexual Assault

Sexual assault is an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities as forced sexual

intercourse, forcible sodomy (oral or anal intercourse), child molestation, sexual assault of a child, incest, fondling, and attempted rape.

Sexual assault is defined very broadly by criminal law [Ch. 940.225](#), [Ch. 948.02](#), of Wis. Stats. It includes a wide variety of conduct from sexual intercourse to sexual contact, without the consent of the other person. Criminal sexual contact can be as limited as a single instance of touching a woman's breast, buttocks, or genital area, or touching a man's buttocks or genital area, without that person's consent, even if the person touched is fully clothed.

Other examples of sexual assault include:

- rape;
- acquaintance rape;
- forcible fondling;
- sodomy; or
- sexual penetration with an object.

Sexual Exploitation

Sexual exploitation involves taking non-consensual sexual advantage of another person, even though the behavior might not constitute one of the other sexual misconduct offenses. Examples can include, but are not limited to the following behaviors:

- distribution or publication of sexual or intimate information about another person without consent, including by means of social media;
- electronic recording, photographing, or transmitting sexual or intimate utterances, sounds, or images without knowledge and consent of all parties;
- engaging in indecent exposure;
- voyeurism - Voyeurism involves both secretive observation of another's sexual activity and secretive observation of another for personal sexual pleasure; or
- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex).

Sexual Misconduct

Sexual misconduct is a broad term encompassing any non-consensual behavior of a sexual nature that is committed by force or intimidation, or that is otherwise unwelcome. Sexual misconduct includes:

- sexual assault
- sexual exploitation
- sexual harassment
- stalking
- relationship (domestic and dating)
- hostile environment

Sexual misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors. It can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can occur between members of the same or different gender and can also occur while individuals are fully clothed.

Stalking

Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Stalking can include but is not limited to:

- repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and/or email;
- repeatedly leaving or sending victim unwanted items, presents, or flowers;
- following or lying in wait for the victim at places such as home, school, work, or recreation place;
- making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets;
- damaging or threatening to damage the victim's property;
- harassing victim through the internet;
- posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth; or
- obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, contacting victim's friends, family, work, or neighbors, etc.

Source: *Stalking Resource Center, National Center for Victims of Crime*
Stalking is defined in [Ch. 940.32, Wis. Stats.](#)

Student

Any person who is currently enrolled and actively engaged in a post-secondary credit course, adult apprenticeship, and/or adult basic education.

Actively engaged includes:

Individuals who have met the criteria of academic attendance/participation in an academically-related activity for the course they are enrolled in.

Academically-related activities include, but are not limited to:

- physically attending a class where there is an opportunity for direct interaction between the instructor and students;
- submitting an academic assignment;
- taking an exam, completing an interactive tutorial, or participating in computer-assisted instruction approved by the instructor and/or College;
- attending a study group that is assigned by the school;
- participating in an online discussion about academic matters.

Academically-related activities do not include activities where a student may be present but not academically engaged, such as:

- logging into an online course without active participation (i.e. responding to a discussion board assignment) as outlined above under Academically-related activities; or
- participating in academic advisement during the time period the individual is not actively engaged in a course as outlined above.

An individual is no longer considered to be actively engaged when the individual has:

- received a final grade for the course;
- officially withdrawn from the course;
- unofficially withdrawn from the course, which would be determined by the last date the individual was actively engaged in the course.

Title IX Coordinator

The Title IX Coordinator position has been established to oversee all sexual harassment, sexual assault, stalking, relationship based violence, and hate crime complaints at the College, and to promote an environment that is free of gender bias and misconduct. The Title IX Coordinator is responsible for conducting an annual report and review of complaints to ensure compliance with Title IX, make improvements, and identify any patterns or systemic problems within the College Community.

The Title IX Coordinator serves as a neutral administrator and resource to students and employees to answer questions; to coordinate reporting and handling of complaints; to review internal disciplinary proceedings and remedies; and to provide education, training, and guidance to public safety, student development, human resources, and other personnel involved with investigations and disciplinary proceedings.

The College's Title IX Coordinator is:

Matthew R. Schur, M.P.Admn.
RC 207C
(715) 365-4615
mschur@nicolecollege.edu

Title IX Deputy Coordinators

The College has designated Title IX Deputy Coordinators to assist the Title IX Coordinator. A Title IX Deputy Coordinator is responsible for assisting the Title IX Coordinator to conduct training, climate assessments, and facilitate communications on behalf of the College with the student or employee who reports a violation, the respondent, and with any administrators responsible for administering this policy. The College has four (4) Title IX Deputy Coordinators:

Deputy Coordinator for Employees:

Teresa Ellis
UTC 212
(715) 365-4435 or tdellis@nicolecollege.edu

Deputy Coordinator for Students:

Kate Ferrel
UTC 233
(715) 365-4685 or kferrel@nicolecollege.edu

Deputy Coordinator for Students:

Kyle Gruening
UTC 219
(715) 365-4446 or gruening@nicolecollege.edu

Confidential Resources

Nicolet does not have employees who are designated and prohibited from sharing student and employee conversations (i.e., Licensed Professional Counselors or Clergy).

Non-Confidential Reporters

All College employees, other than confidential resources listed above, have an obligation to report to a Title IX Coordinator, information regarding sexual misconduct incidents made known to them, or that they have reasonable cause to suspect that such conduct might have occurred. Employees are required to caution students about confidentiality issues and to advise students that the employee is required to report potential or alleged violations of this policy. Even if a student refuses to file a complaint with the College or Law Enforcement or participate in a disciplinary proceeding, the College may need to further investigate reports of sexual misconduct. To the extent possible, privacy will be maintained and information will only be shared with individuals on a “need to know” basis.

If you are unsure of someone’s responsibilities and duties for maintaining your privacy, ask them BEFORE you talk to them. They should be able to tell you and help you make decisions about who can best help you while maintaining your privacy.

Training

Sexual misconduct awareness and prevention training is made available to new students and staff in an online format. Additional programs and offerings are available online and through the Campus Safety and Security section of the College’s website. Resources and training materials can be found on the [College web site](#). In accordance with College mission and vision, as well as Federal guidelines, training about the policy and procedures regarding sexual assault and relationship violence is required for all students and employees. Best practices identified through the United States Department of Education and VAWA will be used to develop awareness programs.

Bystander Intervention training will provide guidance and resources to assist students when faced with a situation and to safely intervene if someone is at risk of being assaulted. In addition, the College will periodically conduct a campus climate survey to gain a stronger understanding of social issues impacting students, and the effectiveness of College prevention efforts, policies, and resources that address them.

The College Policy Application

The College policy to address cases of the above listed alleged misconduct is designed to:

- consider the rights of the complainant, the rights of the respondent, the safety of the community, and compliance with applicable laws and College policies;
- conduct a timely, fair, impartial, and equitable investigation and adjudication process with thoroughness and respect for all involved parties;
- protect the privacy of all parties to the extent practical, while balancing the need to perform an investigation, follow the procedures outlined below, comply with applicable law, and maintain campus safety;
- provide appropriate remedies and sanctions to address the discriminatory effects of sexual misconduct and other listed forms of misconduct on the complainant and others; and

- support the needs of the complainant and respondent in the areas of emotional and mental health, physical well-being, and safety from future violence or retaliation.

The College specifically prohibits all forms of the following types of misconduct and violence including, but not limited to, rape, acquaintance rape, sexual assault, sexual harassment, dating violence, domestic violence, stalking, and hate crimes between or against members of its college community. This policy will apply regardless of whether a criminal proceeding has been initiated, the conduct occurred on campus, or involved a College-sponsored activity. The College will take appropriate measures to address violations of this policy in a manner that is reasonable to prevent such conduct from recurring and to minimize the effects on victims and the College community. Retaliation for filing a report or complaint or for participating in a related investigation or disciplinary proceeding is also a violation of this policy.

In instances where a complaining party insists on confidentiality, it may limit the ability of the College to respond. Depending upon the circumstances, the College may not be able to ensure confidentiality because of its obligation to provide a safe and non-discriminatory environment for all students and employees. Factors that may impact the request include the seriousness of the alleged conduct and whether there have been other complaints about the same individual.

Once a College employee either knows or should have known about an incident(s) of the above listed forms of misconduct, the College will:

1. take immediate and appropriate steps to investigate what occurred.
2. take prompt and effective action to:
 - a) stop the behavior;
 - b) remedy the effects of the behavior; and
 - c) prevent the recurrence of said behavior.

Reporting Sexual Misconduct, Relationship Violence, and Stalking

The College recommends that victims immediately report any of these offenses occurring on a College-controlled premise or during a College-sponsored event to local law enforcement. Contact information for the Rhinelander Campus and the Lakeland Outreach Center is listed in the [Emergency Response Guide](#). When safe to do so, report crimes to Campus Security or the Emergency Response Team (ERT). As soon as possible, report the assault to the ERT. The ERT will take action and issue a timely warning if the perpetrator remains at large.

All evidence is important to assist in investigation and arrest of the perpetrator, and for obtaining a protection/restraining order. Victims should preserve as much evidence of the crime as possible. Do not shower, change clothes, or wash away evidence.

Any individual who believes he or she, another student, or another employee has been the victim of the above listed forms of misconduct is encouraged to file a complaint identifying the alleged individual and describing the conduct, incident(s) or occurrence(s) that form the basis for the complaint.

Students and non-employees may file complaints with any College employee, who will then notify the Title IX Coordinator and Deputy Title IX Coordinator for students. If the Title IX Coordinator or Deputy Title IX Coordinator for Students is alleged to be the person who engaged in the alleged misconduct, the incident will be investigated by a Deputy Title IX Coordinator or trained designee.

College employees should notify the Title IX Coordinator or Deputy Title IX Coordinator for Employees. If the Title IX Coordinator or Deputy Title IX Coordinator for Employees is alleged to be the person who engaged in the alleged misconduct, the incident will be investigated by a Deputy Title IX Coordinator or trained designee.

Any College employee can help with filling out the incident report. It is preferred that the complaint be submitted via an electronic [Conduct Violation Report](#).

If, due to a disability, accommodations are needed to assist the student with filing a complaint, please contact the Accommodations Specialist at (715) 365-4560. Employees can receive assistance with filing a complaint by contacting Human Resources at (715) 365-4449 or (715) 365-4435.

The complainant is encouraged to file the complaint as soon as possible after the incident, to ensure a prompt and effective due process for all the parties involved in the situation.

If the complainant requests confidentiality or requests that the complaint not be pursued, the appropriate Deputy Title IX Coordinator will take all reasonable steps to investigate the complaint and respond consistently with the complainant's request. If the College determines that an investigation needs to continue, the alleged respondent will be told that the complainant requested the College to not proceed. Information will only be shared with individuals responsible for addressing incidents of sexual misconduct, relationship violence, and stalking. Prior to disclosing information, the College will make every effort to notify the complainant the following:

- what information will be disclosed;
- whom it will be disclosed to; and
- why the information needs to be disclosed.

Honoring a request for confidentiality may limit the ability of the College to respond to the allegation, including pursuing sanctions and remedies against the respondent(s). In addition, the College will need to determine if the confidentiality request can be honored while providing a safe and non-discriminatory environment. The College will take steps to maintain confidentiality of persons reporting incidents of sexual misconduct and relationship violence in records available for public inspection by using alternative means of identification and not including personally identifiable information in the annual campus security report, campus crime log, and emergency warning notices required under the Clery Act. Requests for confidentiality will be evaluated in the context of the College's responsibility to provide a safe and nondiscriminatory environment for all students and employees.

A complainant also has the option to file a criminal report with a local law enforcement agency. The College Title IX Coordinator, Title IX Deputy Coordinator, or the Security Department will offer to provide assistance if the individual elects to contact law enforcement. Declining to speak with an investigator or law enforcement at the time of the initial report does not prevent the individual from filing a criminal report or a Title IX complaint at a later date. The College may seek the assistance of local law enforcement agencies in the investigation.

The College will not condone false reporting. Any person who makes a report that is later found to have been intentionally given falsely or made maliciously without respect for the truth may be subject to sanctions.

Individuals who are being stalked, are victims of sexual assault, dating and/or domestic violence on College-controlled premises or at College-sponsored events should notify the Title IX Coordinator or Title IX Deputy Coordinators. In emergency situations, dial 911. If this action is taking place at an off-site location, Title IX Coordinator &/or Deputy Coordinators should be notified, and it is strongly suggested the individual involve law enforcement immediately.

Individuals who are being stalked or have been a victim of sexual assault, dating and/or domestic violence and/or have a restraining or other protection orders against another individual should inform Campus Security. This is especially important if the person who is the object of the restraining or protection order is a student or employee at the College.

Reports of violent incidents related to stalking, sexual assault, dating and/or domestic violence will be included in the annual security report as required under the Clery Act and VAWA.

Complainant and Respondent Rights

1. The preponderance of evidence standard (more likely than not) is used to evaluate complaints.
2. Following the written receipt of the complaint/incident reports, the College will respond promptly, equitably, and thoroughly barring any unusual circumstances.
3. Complaints will be investigated by a trained Title IX Investigator, Title IX Coordinator, Title IX Deputy Coordinator, and/or designee.
4. The complainant and the respondent are entitled to the same opportunities to have others present during a campus disciplinary proceeding, but they may not interfere. All parties are permitted to have representatives in all stages of the process. Notice of representation must be made in advance to the Title IX Coordinator.
5. Both the complainant and the respondent will be simultaneously informed of the outcome of any campus disciplinary proceeding alleging sexual misconduct, relationship violence, and/or stalking.
6. The decision of the Title IX Coordinator may be appealed to the Vice President of Academic Affairs or designee, whose decision is final. If the complaint is against the Vice President of Academic Affairs or designee, the decision may be appealed to a Vice President or designee. If the complaint is against the President, or a Board of Trustees member, the complaint will be assigned to an independent investigator and any appeals will be handled by a separate independent hearing officer whose decision will be final.
7. Complaints against one of the Title IX Coordinators will be investigated and decided by a person appointed by the Vice President of Academic Affairs or designee. The appeal must be made, in writing or using the electronic reporting form, within ten (10) business days after the decision has been made.

The College recognizes the right of all parties involved in a complaint to a fair and equitable resolution of complaints. Falsification, distortion or misrepresentation of information during the course of a complaint resolution process may be grounds for disciplinary action.

Initial Remedies

Prior to initiating an investigation, the Title IX Coordinator &/or Title IX Deputy Coordinator will meet with the complainant to explain the investigation process and the eventual resolution process to the complainant. The College Title IX Coordinator &/or Title IX Deputy Coordinator will encourage him/her to participate fully in the investigation and hearing processes as well as provide a list of resources.

Complainants will also be notified of their rights and the process to file a complaint with local law enforcement.

If appropriate, initial remedial actions will be discussed including, but not limited to the following:

- no contact directive between complainant and respondent;
- change in academic and office assignment situations if requested by complainant or respondent and reasonably available, for the complainant and respondent;
- change in workplace assignment and reporting structure if requested by complainant or respondent and reasonably available, for the complainant and respondent;
- waiver of absence and assignment requirements;
- temporary leave of absence;
- temporary ban from college controlled locations and/or events;
- withdrawal from courses; and/or
- plan to address safety concerns.

Preliminary Investigation

Throughout the investigation, appropriate support for the complainant and respondent will be provided. Complainants and respondents will be informed of campus and community resources, including counseling and other health services. These options will be made available to the individual regardless of whether he or she proceeds with a formal complaint under this policy or files a criminal report or complaint with law enforcement.

A preliminary investigation will be conducted to determine if there is probable cause to believe a policy was violated. *If the investigation does not find probable cause for the complaint, the Title IX Coordinator will dismiss the case.* The complainant will be informed why the act does not constitute the above listed forms of misconduct; voluntary and informal methods may be used to resolve the complaint. If it is determined by the Title IX Coordinator that there is probable cause of misconduct, a formal investigation will begin immediately.

Formal Investigation Process

The following process will be used to further investigate allegations:

1. Upon receiving a complaint, the appropriate Title IX Deputy Coordinator will facilitate a fact-finding investigation which will include assigning a trained Title IX Deputy Coordinator to review the complaint. The Title IX Deputy Coordinator for Students or Employees and another Title IX Deputy Coordinator will conduct interviews with the complainant, respondent, and other appropriate individuals. The investigation will be prompt, thorough, and impartial.
2. The intent of the interview with the complainant, respondent and potential witnesses is to determine a true and complete account of the complaint. *The following information will normally be sought during the interview process:*
 - the severity of the conduct;
 - the number and frequency of acts of the alleged offense;
 - the apparent intent of the person alleged to have engaged in sexual misconduct, relationship violence, and/or stalking;
 - the relationship of the parties;
 - the response of the complainant at the time of the incident(s); and
 - the relevant educational/work environment.

3. Periodic updates to the complainant and the respondent will simultaneously be provided during the entire process.
4. All persons involved in the investigation will be reminded that the incident should not be discussed. Retaliatory action against the complainant, respondent, or witnesses will not be tolerated.
5. The Title IX Deputy Coordinator for Students or Employees will submit a report to the College Title IX Coordinator detailing the allegations, evidence collected, and statements from the complainant, respondent, and any relevant witnesses to the conduct. The report will include the appropriate Title IX Deputy Coordinator's finding as well as any recommendations for sanctions, if warranted.
6. The College Title IX Coordinator will review the investigative report, evidence and all known circumstances from the Deputy Title IX Coordinator for Students or Employees and will make a final determination. The preponderance of the evidence standard (i.e., it is more likely than not that the alleged misconduct occurred) will be used to investigate allegation(s).
7. Communication from the Title IX Coordinator regarding the outcome is communicated to the complainant and the respondent simultaneously.

Student Sanction Statement

The College reserves the right to take whatever measures it deems necessary in response to an allegation of misconduct to protect students' rights and personal safety.

Potential sanctions for students who are found responsible for acts of misconduct could be, but are not limited to, the following:

- disciplinary action, up to and including, expulsion of a person found responsible for violating these policies;
- referral to law enforcement when there is danger or threat to community and/or when requested by victim; and
- referral to appropriate community resource(s).

Not all forms of misconduct will be deemed to be equally serious offenses and the College reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. Previous substantiated student conduct violations will be considered in determining the appropriate sanction. The College will consider the concerns and rights of both the complainant and the respondent.

The Title IX Coordinator has the right to broaden or lessen any range of recommended sanctions. The initial investigative team, appeals body, or designee may not deviate from the range of recommended sanctions unless there is compelling justification to support a deviation.

Employee Sanction Statement

The College reserves the right to take whatever measures it deems necessary in response to an allegation of misconduct to protect employees' rights and personal safety.

Not all forms of misconduct will be deemed to be equally serious offenses and the College reserves the right to impose different sanctions, ranging from verbal warning to termination, depending on the severity of the offense. Previous substantiated employee conduct violations will be considered in determining the appropriate sanction. The College will consider the concerns and rights of both the complainant and the respondent.

The Title IX Coordinator has the right to broaden or lessen any range of recommended sanctions. The initial investigative team, appeals body, or designee may not deviate from the range of recommended sanctions unless there is compelling justification to support a deviation.

Potential sanctions for employees who are found responsible for acts of misconduct could be, but are not limited to, the following:

- disciplinary action, up to and including, termination of a person found responsible for violating these policies;
- referral to law enforcement when there is danger or threat to community and/or when requested by victim; and/or
- referral to appropriate community resource(s).

Non-student and Non-employee Sanction Statement

The College reserves the right to take whatever measures it deems necessary in response to an allegation of misconduct to protect non-students and non-employee rights and personal safety.

Not all forms of misconduct will be deemed to be equally serious offenses and the College reserves the right to impose different sanctions, up to and including being banned from all college-controlled premises and activities, depending on the severity of the offense. Previous substantiated conduct violations will be considered in determining the appropriate sanction. The College will consider the concerns and rights of both the complainant and the respondent.

The Title IX Coordinator has the right to broaden or lessen any range of recommended sanctions. The initial investigative team, appeals body, or designee may not deviate from the range of recommended sanctions unless there is compelling justification to support a deviation.

Student and Non-employee Appeal Process

All students and non-employees have the right to appeal disciplinary decisions. Appeal requests must be made in writing to the Vice President of Academic Affairs or designee within five (5) days after verbal or written notification of the decision or sanction. It is preferred that the complaint be submitted via an electronic [Appeal of Student Conduct or Misconduct Findings Form](#). If, due to a disability, accommodations are needed to assist the student with filing an appeal, please contact the Accommodations Specialist at (715) 365-4560.

A student or non-employee may appeal for three reasons which include:

1. procedural error/ failure to uphold the student's rights that may substantially alter the outcome of the decision;
2. new evidence that was unknown or unknowable at the time of the investigation and decision; or
3. the Title IX Coordinator and/or Deputy Coordinators had bias during the investigation and/or sanctioning process.

An appeal must include the following information:

1. the name, address, and telephone number of the party; and
2. a clear statement explaining the nature and circumstances of the appeal, citing the new evidence and/or the explanation with specifics of the alleged lack of fairness in the prior hearing.

The Vice President of Academic Affairs or designee will issue a decision and send to the student or non-employee normally within ten (10) days after receipt of the appeal. The appeal decision shall be considered final.

Appeals will be conducted in accordance with the following guidelines:

- The student or non-employee will be provided a full and fair opportunity to present evidence relevant to the issues raised by the student relating to the subject matter of the appeal.
- The Vice President of Academic Affairs or designee will issue a decision on the hearing within ten (10) days of the conclusion of the hearing.
- All parties have the right to be assisted by legal counsel at any time during the process.
- The decision will be:
 - provided in writing (electronic letter or physical letter); and
 - based solely on the evidence presented in the appeal notice and will include a summary of the evidence and the reasons for the decision.

Employee Appeal Process

All employees have the right to appeal disciplinary decisions. Consistent with Step 2 of the [Employee Complaint and Appeal Procedure BP 4.04](#), the employee must follow the steps and processes outlined in the Board policy. An employee may only appeal these cases when it is believed that one of the three factors listed below are present:

1. procedural error/ failure to uphold the employee's rights that may substantially alter the outcome of the decision;
2. new evidence that was unknown or unknowable at the time of the investigation and decision; or
3. the Title IX Coordinator and/or Deputy Coordinators had bias during the investigation and or sanctioning process.

Disclosures – FERPA Exemptions:

The final results of a disciplinary proceeding will be disclosed to the alleged victim. This includes the charges, the finding, the sanction(s) related to the victim, and the rationale for the decision.

The College may not disclose the name of any other student, including the complainant or witness, without prior written consent of the student.

The final results of a disciplinary proceeding can be disclosed to anyone if the College determines that the student is an alleged perpetrator of a crime of the misconduct; and with respect to the allegations made against him or her, the student has committed a violation of the institution's rules or policies.

However, the College may not disclose the name of any other student, including a victim or witness, without the prior written consent of the other student. This disclosure is not subject to the re-disclosure limitation and notice requirements otherwise identified in FERPA.

Community Resources

Victims are encouraged to seek help from the agencies listed in the College Safety and Security Resource Guide for follow-up counseling and support. If needed, the College will assist the victim with changes in schedules and current course accommodations. If reporting the crime to College staff, they can assist in reporting the crime and/or contacting support services. Regardless of where the offense

occurred, victims will be provided a written explanation of his or her rights and options. The victim will also receive written notice of available assistance in changing academic and working situations if those changes are requested by the victim and reasonably available, regardless of whether the victim reports the offense to campus security or local law enforcement. The College prohibits retaliation by its officers, employees, or agents against a person who exercises his or her rights or responsibilities under any provision of Clery, Title IX, and/or VAWA.

Victims do have the option to, or not to, notify and seek assistance from law enforcement and campus authorities. Victims can also call the 24-hour crisis hotline at **800-236-1222** or **715-362-6841**.

Current Resources by County:

Forest County

TRI-County Council on Domestic Violence and Sexual Assault

800-236-1222 (Toll Free) or 715-478-3780 (Local)

- 24-hour crisis hotline (domestic violence/sexual assault victim advocacy)

Forest County Potawatomi Health and Wellness Center

715-478-7201 (Local)

- Forest County Potawatomi Domestic Violence program
- Sexual assault advocacy

Forest County Potawatomi Domestic Violence Program

715-478-7201 (Local)

- Sexual assault victim advocacy

Iron County

DOVE (Domestic Violence Escape) Victim/Witness Assistance Program

800-711-6744 (Toll Free)

Langlade County

AVAIL (Advocates for Victims of Domestic and Sexual Abuse in Langlade County, Wisconsin)

715-623-5767 (24-Hour Crisis Hotline) or 715-536-5177 (Local)

- Emergency Shelter, 24-hour crisis hotline, counseling and support groups, information and referral

Lincoln County

The Haven – Lincoln County Domestic Violence Shelter

715-536-1300 (Local)

- Sexual assault victim advocacy, 24-hour crisis hotline, legal advocacy

Oneida County**TRI-County Council on Domestic Violence and Sexual Assault**

800-236-1222 (Toll Free) or 715-362-6841 (Local)

- 24-hour crisis hotline, domestic violence/sexual assault victim advocacy

Sacred Heart/St. Mary's Hospital Emergency Department

715-361-2100 (Local)

- Sexual assault nurse examiner (SANE) program

Howard Young Medical Center

715-356-8005 (Local)

- Sexual assault nurse examiner (SANE) program, Oneida County Health Dept. (Reproduction Health Clinic), STD screening, treatment, education, HIV counseling and testing, emergency contraception

Oneida County Health Department

715-369-6116 (Local)

- STD screening, treatment, education, HIV counseling and testing, emergency contraception

Vilas County**TRI-County Council on Domestic Violence and Sexual Assault**

800-236-1222 (Toll Free) or 715-479-2912 (Local)

- 24-hour crisis hotline (domestic violence/sexual assault victim advocacy)

Eagle River Memorial Hospital Emergency Department

715-479-0255 (Local)

- Sexual Assault Nurse Examiner (SANE) program:

Lac du Flambeau Domestic Violence Shelter/Sexual Assault Victim Advocacy

800-236-7660 (Toll Free)

Clery Act Addendum Requirements

1. The Campus SaVE Act (the "SaVE Act" or "Act") applies to almost all institutions of higher education since it is directed toward those that participate in financial aid programs under Title IV of the Higher Education Act of 1965. It became effective on March 7, 2013 as part of the Violence Against Women Reauthorization Act (VAWA) and amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (known as the Clery Act).
2. The Act requires higher education institutions to report crime statistics and disclose security-related information in several ways:
 - a. It adds offenses involving domestic violence, dating violence, and stalking to the crimes that institutions must report and include in their Annual Security Reports (ASR).

- b. It expands the categories of reportable “hate crimes” to include those based on bias against gender identity or national origin.
- c. The policy statements filed as part of the ASR must now include detailed descriptions of the institution’s internal procedures in cases of domestic violence, dating violence, or stalking, as well as descriptions of its education and prevention programs.

PRIVACY OF RECORDS – RELEASE OF WRITTEN INFORMATION **([AP 2.02](#))**

The Nicolet College policy on record privacy and releasing information follows the directives outlined in the Family Education Rights and Privacy Act (FERPA), the federal law governing the protection of written educational records. Registered students will be notified of this policy annually. Only the student may authorize the release of their personally identifiable information in an education record. All such authorizations must be in writing. A fee will be assessed for copying all or a portion of a student record.

Notification

Students and stakeholders can find this policy in the Nicolet College catalog, the website, or may obtain a copy of the policy from the Welcome Center in the Red Oak Center.

Student Rights under FERPA

1. Students have a right to inspect and review their own educational records. The student must submit a signed, written request to the Registrar that identifies the record(s) they wish to inspect. The Registrar will make arrangements for access within 45 days and notify the student when and where the records may be inspected. Before being allowed to view the record, the student must present official photo identification.
2. Students have a right to request the amendment of educational records that they believe are inaccurate or misleading. The student must present a written request to the Registrar, clearly identifying the part of the record they want changed, and specify why it is inaccurate or misleading. If the Registrar denies the request to amend the record, the Registrar will notify the student and advise them of the right to appeal the decision using the Complaint and Grievance Procedure for Nicolet College Students, in AP 1.06 Student Standards of Conduct.
3. Students have a right to grant written consent to disclosures of personally identifiable information contained in their own education record; FERPA authorizes some disclosures without consent.
4. A record of disclosures will be maintained within a student’s file indicating when information has been released from that file and to whom, except for disclosures for legitimate educational interest. Students will not be notified of legally restricted disclosures or disclosures for legitimate educational interest.
5. Students have the right to restrict the disclosure of *Directory Information*. To restrict the disclosure of *Directory Information*, a student must file a written request with the Registrar. This request to restrict disclosure of *Directory Information* will be honored until the student notifies the Registrar, in writing, to the contrary (see section on Directory Information below).
6. Students have a right to file a complaint with the U.S. Department of Education concerning alleged failures of the College to comply with requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education

400 Maryland Avenue, SW; Washington, D.C. 20202-8520

Exceptions under FERPA

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

Directory Information

The use of the term *Directory Information* does not mean that the College actually has a document containing Student Directory Information, or that the College has any obligation to produce such a document. The term *Directory Information* is a legal term applying to information that the College can release, without student consent, to any third party.

The College has defined *Directory Information* as the following:

- Student name
- Full-time or part-time status
- Major field of study
- Dates of enrollment
- Degrees and awards received
- Photos and videos of students for use in College press releases, publications, and web sites
- Nicolet College assigned student email accounts

U.S. Military

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

Authorized Federal, State, and Local Authorities

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

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

Other Educational Institutions

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

Emergency Situations

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

Legitimate Educational Interest

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

Officials of the College are defined as:

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

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

- perform duties specified in their job description or under terms of contractual agreement;
- provide campus services related to a student, such as advising, financial aid, and counseling;
- conduct tasks related to a student's education, campus discipline or security.

Judicial Order

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

Grievance Hearing

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

Disciplinary Hearing

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

U.S. Patriot Act

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

Annual Clery Crime Statistics

Nicolet College complies with the Jeanne Clery Disclosure Act and prepares an annual report of crimes that have occurred on campus and at outreach centers. The report can be found on the College website on the security page, or may be obtained from Campus Security. As required by law, the report is also distributed to students and staff each year by October 1. Campus crime, arrest, and referral statistics include those reported to local law enforcement and to College officials, including anonymous reports. In an effort to obtain the statistics from local law enforcement, Campus Security makes a written request to each local law enforcement agency to obtain a listing of any crimes they had reported to them and/or they had investigated. The reported crimes are also maintained in a daily crime log, which is located on the College website on the security page.

Criminal Offenses – On Campus

For each of the following criminal offenses, enter the number reported to have occurred on Campus.			
Criminal Offense	Total Occurrences on Campus		
	2013	2014	2015
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Sex Offenses – Forcible (category removed by DOE through Clery in 2014)	0		
d. Rape (category added by DOE through Clery in 2014)		0	0
e. Fondling (category added by DOE through Clery in 2014)		0	0
f. Sex offenses – Non-forcible (category removed by DOE through Clery in 2014)	0		
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	0	0	0
j. Aggravated assault	0	0	0
k. Burglary	0	0	0
l. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0
m. Arson	0	0	0

Criminal Offenses – Noncampus*

For each of the following criminal offenses, enter the number reported to have in or on occurred on Noncampus buildings or property.			
Criminal Offense	Total Occurrences in or on Noncampus buildings or property		
	2013	2014	2015
a. Murder/Non-negligent manslaughter		0	0
b. Negligent Manslaughter		0	0
c. Rape		0	0
d. Fondling		0	0
e. Incest		0	0
f. Statutory rape		0	0
g. Robbery		0	0
h. Aggravated assault		0	0
i. Burglary		0	0
j. Motor vehicle theft (Do not include theft from a motor vehicle)		0	0
k. Arson		0	0

*Noncampus is a category added in 2014 by DOE through Clery.

Criminal Offenses – Public Property

For each of the following criminal offenses, enter the number reported to have occurred on Public Property.			
Criminal Offense	Total Occurrences on Public Property		
	2013	2014	2015
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent Manslaughter	0	0	0
c. Sex Offenses – Forcible (category removed by DOE through Clery in 2014)	0		
d. Rape (category added by DOE through Clery in 2014)		0	0
e. Fondling (category added by DOE through Clery in 2014)		0	0
f. Sex offenses – Non-forcible (category removed by DOE through Clery in 2014)	0		
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	0	0	0
j. Aggravated assault	0	0	0
k. Burglary	0	0	0
l. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0
m. Arson	0	0	0

Hate Crimes – On Campus (2015)

For the criminal offenses listed below, first enter the total number of <u>Hate Crimes</u> that were reported to have occurred on campus. Then break down each total by category of bias (e.g., race, religion, etc.)									
Criminal Offense	Occurrence of Hate crimes Category of Bias for crimes reported in 2015								
	2015 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Rape	0	0	0	0	0	0	0	0	0
c. Fondling	0	0	0	0	0	0	0	0	0
d. Incest	0	0	0	0	0	0	0	0	0
e. Statutory rape	0	0	0	0	0	0	0	0	0
f. Robbery	0	0	0	0	0	0	0	0	0
g. Aggravated assault	0	0	0	0	0	0	0	0	0
h. Burglary	0	0	0	0	0	0	0	0	0
i. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
j. Arson	0	0	0	0	0	0	0	0	0
k. Simple assault	0	0	0	0	0	0	0	0	0
l. Larceny-theft	0	0	0	0	0	0	0	0	0
m. Intimidation	0	0	0	0	0	0	0	0	0
n. Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0

*Gender Identity is an added category and Ethnicity & National Origin were separated into individual categories in 2014 by DOE through Clery.

Hate Crimes – On Campus (2014)

For the criminal offenses listed below, first enter the total number of Hate Crimes that were reported to have occurred on campus. Then break down each total by category of bias (e.g., race, religion, etc.)

Occurrence of Hate crimes Category for Bias for crimes reported in 2014							
	2014 Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
b. Sex offenses - Forcible	0	0	0	0	0	0	0
c. Sex offenses – Non-forcible	0	0	0	0	0	0	0
1. Incest	0	0	0	0	0	0	0
2. Statutory rape	0	0	0	0	0	0	0
d. Robbery	0	0	0	0	0	0	0
e. Aggravated assault	0	0	0	0	0	0	0
f. Burglary	0	0	0	0	0	0	0
g. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0
h. Arson	0	0	0	0	0	0	0
i. Simple assault	0	0	0	0	0	0	0
j. Larceny-theft	0	0	0	0	0	0	0
k. Intimidation	0	0	0	0	0	0	0
l. Destruction/damage/vandalism of property	0	0	0	0	0	0	0

Hate Crimes – On Campus (2013)

For the criminal offenses listed below, first enter the total number of Hate Crimes that were reported to have occurred on campus. Then break down each total by category of bias (e.g., race, religion, etc.)

Occurrence of Hate crimes Category for Bias for crimes reported in 2013							
	2013 Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
b. Sex offenses - Forcible	0	0	0	0	0	0	0
c. Sex offenses – Non-forcible	0	0	0	0	0	0	0
1. Incest	0	0	0	0	0	0	0
2. Statutory rape	0	0	0	0	0	0	0
d. Robbery	0	0	0	0	0	0	0
e. Aggravated assault	0	0	0	0	0	0	0
f. Burglary	0	0	0	0	0	0	0
g. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0
h. Arson	0	0	0	0	0	0	0
i. Simple assault	0	0	0	0	0	0	0
j. Larceny-theft	0	0	0	0	0	0	0
k. Intimidation	0	0	0	0	0	0	0
l. Destruction/damage/vandalism of property	0	0	0	0	0	0	0

Hate Crimes – Noncampus*

For the criminal offenses listed below, first enter the total number of Hate Crimes that were reported to have occurred in or on Noncampus buildings or property. Then break down each total by category of bias (e.g., race, religion, etc.)

*Noncampus is a category added in 2014 by DOE through Clery.

Occurrence of Hate crimes
Category of Bias for crimes reported in 2015

Criminal Offense	Total by year			Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
	2013	2014	2015								
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0
b. Rape	0	0	0	0	0	0	0	0	0	0	0
c. Fondling	0	0	0	0	0	0	0	0	0	0	0
d. Incest	0	0	0	0	0	0	0	0	0	0	0
e. Statutory rape	0	0	0	0	0	0	0	0	0	0	0
f. Robbery	0	0	0	0	0	0	0	0	0	0	0
g. Aggravated assault	0	0	0	0	0	0	0	0	0	0	0
h. Burglary	0	0	0	0	0	0	0	0	0	0	0
i. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0	0	0
j. Arson	0	0	0	0	0	0	0	0	0	0	0
k. Simple assault	0	0	0	0	0	0	0	0	0	0	0
l. Larceny-theft	0	0	0	0	0	0	0	0	0	0	0
m. Intimidation	0	0	0	0	0	0	0	0	0	0	0
n. Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0

Hate Crimes – Public Property (2015)

For the criminal offenses listed below, first enter the total number of Hate Crimes that were reported to have occurred on Public Property. Then break down each total by category of bias (e.g., race, religion, etc.)

Occurrence of Hate crimes
Category of Bias for crimes reported in 2015

Criminal Offense	2015 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
b. Rape	0	0	0	0	0	0	0	0	0
c. Fondling	0	0	0	0	0	0	0	0	0
d. Incest	0	0	0	0	0	0	0	0	0
e. Statutory rape	0	0	0	0	0	0	0	0	0
f. Robbery	0	0	0	0	0	0	0	0	0
g. Aggravated assault	0	0	0	0	0	0	0	0	0
h. Burglary	0	0	0	0	0	0	0	0	0
i. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
j. Arson	0	0	0	0	0	0	0	0	0
k. Simple assault	0	0	0	0	0	0	0	0	0
l. Larceny-theft	0	0	0	0	0	0	0	0	0
m. Intimidation	0	0	0	0	0	0	0	0	0

n. Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0
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Hate Crimes – Public Property (2014)

For the criminal offenses listed below, first enter the total number of **Hate Crimes** that were reported to have occurred on Public Property. Then break down each total by category of bias (e.g., race, religion, etc.)

Occurrence of Hate crimes Category for Bias for crimes reported in 2014							
Criminal Offense	2014 Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
b. Sex offenses - Forcible	0	0	0	0	0	0	0
c. Sex offenses – Non-forcible	0	0	0	0	0	0	0
1. Incest	0	0	0	0	0	0	0
2. Statutory rape	0	0	0	0	0	0	0
d. Robbery	0	0	0	0	0	0	0
e. Aggravated assault	0	0	0	0	0	0	0
f. Burglary	0	0	0	0	0	0	0
g. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0
h. Arson	0	0	0	0	0	0	0
i. Simple assault	0	0	0	0	0	0	0
j. Larceny-theft	0	0	0	0	0	0	0
k. Intimidation	0	0	0	0	0	0	0
l. Destruction/damage/vandalism of property	0	0	0	0	0	0	0

Hate Crimes – Public Property (2013)

For the criminal offenses listed below, first enter the total number of **Hate Crimes** that were reported to have occurred on Public Property. Then break down each total by category of bias (e.g., race, religion, etc.)

Occurrence of Hate crimes Category for Bias for crimes reported in 2013							
Criminal Offense	2013 Total	Race	Religion	Sexual Orientation	Gender	Disability	Ethnicity/ National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
b. Sex offenses - Forcible	0	0	0	0	0	0	0
c. Sex offenses – Non-forcible	0	0	0	0	0	0	0
1. Incest	0	0	0	0	0	0	0
2. Statutory rape	0	0	0	0	0	0	0
d. Robbery	0	0	0	0	0	0	0
e. Aggravated assault	0	0	0	0	0	0	0
f. Burglary	0	0	0	0	0	0	0
g. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0
h. Arson	0	0	0	0	0	0	0
i. Simple assault	0	0	0	0	0	0	0
j. Larceny-theft	0	0	0	0	0	0	0

k. Intimidation	0	0	0	0	0	0	0
l. Destruction/damage/vandalism of property	0	0	0	0	0	0	0

VAWA Offenses* – On Campus

For each of the following crimes, enter the number reported to have occurred on Campus.

*VAWA offenses were added in 2014 by DOE through Clery.

Crime	Total occurrences on Campus		
	2013	2014	2015
a. Domestic violence		0	0
b. Dating violence		0	0
c. Stalking		0	0

VAWA Offenses* – Noncampus*

For each of the following crimes, enter the number reported to have occurred in or on Noncampus buildings for property.

*VAWA offenses were added in 2014 by DOE through Clery.
*Noncampus is a category added in 2014 by DOE through Clery.

Crime	Total occurrences in or on Noncampus buildings or property		
	2013	2014	2015
a. Domestic violence		0	0
b. Dating violence		0	0
c. Stalking		0	0

VAWA Offenses* – Public Property

For each of the following crimes, enter the number reported to have occurred on Public Property.

*VAWA offenses were added in 2014 by DOE through Clery.

Crime	Total occurrences on Public Property		
	2013	2014	2015
a. Domestic violence		0	0
b. Dating violence		0	0
c. Stalking		0	0

Arrests – On Campus

Enter the number of Arrests for each of the following crimes that occurred on Campus.

Do NOT include drunkenness or driving under the influence in Liquor Law Violations.

Crime	Number of Arrests		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Arrests – Noncampus*

Enter the number of Arrests for each of the following crimes that occurred in or on Noncampus buildings for property.

Do NOT include drunkenness or driving under the influence in Liquor Law Violations.

*Non-Campus is a category added in 2014 by DOE through Clery.

Crime	Number of Arrests		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.		0	0
b. Drug abuse violations		0	0
c. Liquor law violations		0	0

Arrests – Public Property

Enter the number of Arrests for each of the following crimes that occurred on Public Property.

Do NOT include drunkenness or driving under the influence in Liquor Law Violations.

Crime	Number of Arrests		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Disciplinary Actions – On Campus

Enter the number of persons referred for disciplinary action for crimes that occurred On Campus for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Crime	Number of Persons referred for Disciplinary Action		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Disciplinary Actions – Noncampus*

Enter the number of persons referred for disciplinary action for crimes that occurred in or on Noncampus buildings or property for each of the following categories. Do not include disciplinary actions that were strictly for school policy violations. If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor Law Violations.

*Noncampus is a category added in 2014 by DOE through Clery.

Crime	Number of Persons referred for Disciplinary Action		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.		0	0
b. Drug abuse violations		0	0
c. Liquor law violations		0	0

Disciplinary Actions – Public Property

Enter the number of persons referred for disciplinary action for crimes that occurred on Public Property for each of the following categories. Do not include disciplinary actions that were strictly for school policy violations. If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor Law Violations.

Crime	Number of Persons referred for Disciplinary Action		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Unfounded Crimes*

Of those crimes that occurred On Campus, in On-campus Student Housing Facilities, on or in Noncampus property or buildings, and on Public Property, enter the number of crimes that were unfounded.

The total number of unfounded crimes should include all criminal offenses, hate crimes, arrests or disciplinary action referrals for weapons, drug or liquor law violations, and domestic violence, dating violence, or stalking incidents that have been unfounded.

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded”. Only sworn or commissioned law enforcement personnel may unfound a crime.

Count unfounded crimes in the year in which they were originally reported.

*Unfounded Crimes report was added in 2014 by DOE through Clery.

Crime	Number of Persons referred for Disciplinary Action		
	2013	2014	2015
a. Total unfounded crimes		0	0