

## E-100 SECURITY ADMINISTRATION (WORKPLACE VIOLENCE)

Workplace violence is a major challenge, unacceptable at any level in public or private institutions. Many legal responsibilities exist under provisions of the Occupational Safety and Health Act; the Wisconsin Safe Place Statute; the Drug Free Workplace Act, Title VII U.S.C., and the Wisconsin Fair Employment Act. Wisconsin statutes define workplace violence as 1) an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed, and 2) conduct or expressions that threatens bodily harm.

Any form of harassment, intimidation, threats, or bullying that threatens bodily or emotional harm will not be tolerated. There is no justification for such actions. All employees and students who engage in such violent, threatening, intimidating or harassing behavior, will face discipline up to and including removal from their positions or academic programs. Members of the general public are also subject to this policy. Violators can be removed from campus and appropriate action taken.

### **POLICY**

1. Gateway Technical College's policy is to promote a safe campus environment for all those who work at, or use its facilities. The College is committed to maintain a campus community free from violence, threats of violence, harassment, intimidation and other disruptive behaviors.
2. Violence, possession of unauthorized weapons, threats of violence, harassment, intimidation and other disruptive behaviors that communicate the potential for physical harm, either directly or indirectly, will not be tolerated on college property. Such behaviors can include oral or written statements, gestures or expressions.
3. We recognize that the successful implementation of this policy requires the commitment and cooperation of all those whom Gateway Technical College employs and serves. It is the responsibility of everyone to report acts of violence, or threats of violence to the appropriate authorities. All reported incidents will be taken seriously and the president, or designee, will utilize the CARE (Communication, Awareness, Referral, and Evaluation) Behavioral Intervention Team, Emergency Response Plan, or Student Code of Conduct policy (J-300) to respond as appropriate.
4. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, as well as civil and/or criminal penalties. Discipline of students will be in accordance with the rules of student conduct. Discipline of employees will be in accordance with the applicable policies, agreements and/or Rules of Conduct.

### **PROCEDURES**

The College cannot guarantee the protection of students and employees against acts of violence. However, it adopts these procedures in an effort to minimize the risks of violent behavior and to provide a safe, secure place for students and employees to learn and to work.

#### **1. NON-EMERGENCY SITUATIONS**

If the situation is not violent and poses no immediate danger of physical harm, but the individual is acting in a threatening, hostile, or aggressive manner, the reporting person should:

- a. Notify campus security, appropriate supervisor, instructor, or other college office.
- b. Keep distance between himself/herself and the perpetrator.
- c. Identify an escape route.

- d. Be ready to summon the local police (911) if the situation escalates to an emergency situation.

## **2. EMERGENCY SITUATIONS**

If it is reasonable to believe that the situation presents an immediate threat of physical harm to oneself or others, the reporting person should follow these guidelines.

- a. Call the local police department (dial 911 if necessary).
- b. Do not attempt to control a violent individual.
- c. Notify campus security, a supervisor, instructor, or other college official.
- d. Individuals may need to seek safety by leaving area. When at all possible, a faculty member should remain with his or her class and send for help.

## **3. PROHIBITED ACTS**

Any person who makes threats of bodily harm, or exhibits threatening behavior either verbal or physical, or engages in such acts on Gateway property (including buildings, parking lots, etc.) shall be immediately removed from the premises and shall remain off Gateway premises pending the outcome of an investigation. Gateway Technical College will initiate a decisive and appropriate resolution. This resolution may include disciplinary action up to and including removal from a person's position or academic program. Furthermore, Gateway may seek legal prosecution against those acting in violation of the law or may seek an injunction against the individual found to have violated this policy. (This policy does not prevent any individual from pursuing legal actions on their own.)

## **4. WEAPONS ON COLLEGE PREMISES**

- a. No person shall possess a dangerous weapon in any college building. Persons who have lost the legal right to possess a dangerous weapon by federal, state, local statutes or federal, state or local court order may not possess a dangerous weapon within the premises of any college owned, leased, or operated location.
- b. No employee shall possess a dangerous weapon during the course of their employment, except as provided in state statutes (i.e., while in the employee's vehicle).
- c. "Dangerous weapon" means any firearm; any electric weapon, as defined in §941.295(4); metallic knuckles or knuckles or any substance which would be put to the same use with the same or similar effect as metallic knuckles; a nunchaku or any similar weapon consisting of two (2) sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire or leather; a cestus or similar material weighted with metal or other substance and worn on the hand; a shuriken or any similar pointed starlike object intended to injure a person when thrown; a chain having weighted ends; any switchblade knife, as defined in §941.24, any knife with a blade longer than three (3) inches or any other device or instrumentality (as determined by the college) which, in the manner it is used or intended to be used, is capable of or likely to produce death or great bodily harm.
- d. College premises means within the property line of any college owned, leased or operated facility. School building means any college owned, leased, or operated building.
- e. Persons storing weapons within their own vehicles parked on college owned, leased, or operated parking lots or grounds must:
  - 1) Conceal the weapon from open view of persons moving in or around the vehicle.
  - 2) If a firearm, unload the weapon.
  - 3) If a firearm, store the weapon in a secured (locked) case or install a locked trigger guard.

- f. Any violation of the 'Weapons on College Premises' section of this policy shall be **immediately** reported to law enforcement authorities, if appropriate. Employees violating this policy shall be subject to employee disciplinary action up to and including termination. Students violating this policy shall be subject to disciplinary action which may include suspension or expulsion.
- g. EXEMPTIONS:
  - 1) This policy does not apply to authorized law enforcement officers or gainfully employed and authorized security officers operating within the scope and policies of their agency.
  - 2) This policy does not apply to Gateway's firearms instructors while engaged in firearms training classes or transporting weapons for repair or other training sessions, or to Gateway students who are not sworn law enforcement officers, but who are enrolled in Firearms Training classes, when they are transporting their weapons from their vehicles to the pistol range and back.
  - 3) The Director of Security may grant individual exceptions to this policy based on the needs of the college. Documentation of the exception, and any limitations imposed on the exception, will be maintained in the employee's personnel file.

## 5. **OBLIGATION TO REPORT INCIDENTS OF VIOLENCE**

All Gateway personnel are responsible for documenting any incident within twenty-four (24) hours by contacting campus security or completing the on-line incident report. The report must include any threats, threatening behavior, or acts of violence as defined above which has been witnessed, when that behavior is job related or might be carried out on a Gateway controlled site (including off site locations such as the Martin Luther King Jr. Center). Unless a protective relationship exists, the reporting individual must complete an Incident Report and document the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening or violent behavior. Information received will be provided to Gateway officials on a need to know basis in order to investigate and/or initiate preventative or disciplinary measures. Other staff may be placed on alert if there is a continuing threat to their security.

## 6. **REPORTING OF INCIDENTS**

- a. Officials receiving reports of violence or threatened violence or who have knowledge of something which may affect the security of students, staff or college property are to report the matter to campus security or by completing an Incident Report on-line utilizing the incident reporting system.
- b. INCLUDE THE FOLLOWING INFORMATION IN THE REPORT:
  - 1) Detailed description of what happened, where it happened, and when it happened.
  - 2) Identity of person(s) committing the threat or violent behavior.
  - 3) Identity of person(s) against whom the threat was made or violent behavior directed.
  - 4) Identity of person(s) reporting or witnessing the threat or violent behavior. 5) Observations that would make you believe that the individual intends to follow through on a threat.
  - 6) How the matter was resolved or suggestions for minimizing the risk of a violent act based on the information available.
- c. Where it appears that criminal activity may be involved, be careful not to do anything that could jeopardize the outcome of an investigation. Do not change or disturb anything at the scene of the incident until properly documented by law enforcement officials, unless necessary to assist or secure the safety of victims.

## 7. **TEMPORARY RESTRAINING ORDERS**

This policy requires all individuals who apply for or obtain a protective or restraining order which lists Gateway locations as being protected areas, to provide the Director of Security a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and ultimately a copy of any protective or restraining order which is made permanent.

**8. RESTRAINING ORDERS/ORDERS OF PROTECTION**

Anyone who has a restraining order or other order of protection against another person that identifies college facilities/locations as protected sites must provide the Director of Security with a copy of any temporary, protective or restraining order which is granted and a copy of any protective restraining order which is made permanent. The director of Security will distribute the order to the appropriate dean(s) of campus affairs, security, and any other administrative personnel deemed necessary.

**9. INVESTIGATIONS AND RESPONSE**

- a. The Director of Security and the appropriate dean(s) of campus affairs and other staff as needed, will meet or otherwise communicate to investigate any reported incidents.
- b. Privacy rights will be observed to the extent allowable to conduct a thorough investigation, and as permitted by law. Only those individuals with a clear need to know will be notified in cases where a person is perceived to be a threat to others. Confidentiality of those reporting violence or threats of violence will be maintained to the extent possible in investigating and resolving the complaint.
- c. Retaliation and/or reprisal against anyone who reports threats of violence or acts of violence in good faith is in violation of this policy. Anyone who engages in or assists in such retaliatory actions will be subject to disciplinary action up to and including suspension for students and termination of employment for employees.
- d. False reports, allegations and/or reports of threats and violence will be taken seriously. Anyone intentionally making false reports is subject to discipline. For students, this could include expulsion. For employees, it could include termination.

Adopted: October 10, 2011 (responsible department: Human Resources)

Supersedes: August 17, 2009; May 1999

Reaffirmed &/or Updated: July 25, 2012 (clarified bullying language in ¶12, 1<sup>st</sup> page of policy); October 19, 2006)