



Gateway Technical College

2019 Annual Security Report

(Information for 2018-2019 Academic Year)

Includes Crime Statistics for Calendar Years (CYs) 2016, 2017 & 2018

Campuses Include:

Kenosha Campus, Racine Campus, Elkhorn Campus, Burlington Campus, HERO Center, Horizon Center, SC Johnson iMET Center

To provide equal employment, advancement, and learning opportunities to all individuals, employment and student admission decisions at Gateway will be based on merit, qualifications, and abilities. Gateway will not discriminate against any employee, applicant for employment, student or applicant for admission on the basis of race, color, national origin, ancestry, sex, sexual orientation, creed, religion, political affiliation, marital status, parental status, pregnancy, disability, age, membership in any reserve component of the armed forces, union affiliation, or any other protected category under applicable local, state or federal law, including protections for those opposing discrimination or participating in any resolution process on campus or within the Equal Employment Opportunity Commission or other human rights agencies.

Dear Campus Community,

We consider the safety and security of all community members at Gateway Technical College a top priority. We are always assessing our policies and procedures to ensure they align with the best practices from other Technical Colleges across the nation in an effort to stay on the leading edge of prevention. Our security team is highly motivated and trained to handle all types of situations and we strive to adhere to the highest standards and serve our community the best we can.

Gateway Technical College partners with a number of law enforcement jurisdictions as well to help keep us safe. We believe these relationships are key to crime prevention and overall safety of our community. Keeping this campus and the community safe also includes all of us, which is why we encourage anyone on campus to contact our safety and security department or fill out an online incident report if they notice any suspicious activity (more information can be found on our website, www.gtc.edu/safety-and-security). Safety is a shared responsibility and begins with each and every one of us having the personal responsibility to report any incidents or concerns involving our fellow community members. We want everyone to be as successful as they can be during their time at Gateway Technical College and that starts with a safe place to work and study, where people are free to access the resources available to them as needed.

Please take time to review this Annual Security Report. We are required to publish this report by October 1st each year in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act). This report contains crime data which occurred within Gateway Technical College's Clery geography as classified by the definitions from the Federal Bureau of Investigation's Uniform Crime Reporting Handbook. As per Clery Act regulations, this report contains data from the 2017 calendar year. Also contained in this report are important institutional policies concerning campus security, crime prevention, reporting crimes, drug and alcohol abuse, sexual misconduct, bias-related crimes, and other important matters.

If you have any questions or concerns, please do not hesitate to contact myself or any member of the Gateway Technical College Safety and Security staff.

Respectfully,

Thomas J. Cousino
Associate Vice President, Facilities and Security

Contents

Quick Reference Resources	5
Introduction.....	6
Department of Safety and Security	7
Department of Safety and Security Training	8
CARE Team	8
Separate Campus Locations	8
Security Of and Access to College Facilities	8
Security Considerations Used in the Maintenance of College Facilities	9
Reporting a Crime, Emergency or Safety Concern and College Response	9
Reporting to Meet Disclosure Requirements.....	10
Responsibilities of the Community for their own personal safety.....	11
Voluntary Confidential Reporting Procedures	12
Pastoral and Professional Counselors	12
Daily Crime Log.....	12
Timely Warning Notifications and Emergency Notifications.....	13
Off-Campus Emergencies	17
Emergency Response & Evacuation Procedures	17
Emergency Evacuation Procedures	18
General Evacuation Procedures	18
Shelter-in-Place Procedures –What it Means to “Shelter-in-Place”	19
Security Awareness and Crime Prevention Programs.....	20
Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking.....	20
Alcohol and Drug Policy.....	22
Health Risks of Drug Use	22
Health Risks of Alcohol Abuse	24
Federal Legal Sanctions	26
State of Wisconsin Legal Sanctions	27
Local Sanctions	28
Alcohol and Other Drug Programs and Resources	32
Employee Policy and Support.....	34
DISCIPLINARY SANCTIONS	35
Student Code of Conduct	38

H-110: Equal Opportunity, Civil Rights, and Sexual Misconduct	40
H-120: Resolution Procedure for Allegations of Harassment, Sexual Misconduct, and Other Forms of Discrimination (Equity Resolution Process).....	58
Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking	75
Clery Act Crime Information and Statistics	81
Clery Act Statistics	83
Campus Geography Maps	95
Racine Campus Clery Geography Continued	97
Elkhorn Campus Clery Geography	98
Burlington Campus Clery Geography	99
Horizon Center Clery Geography	100
SC Johnson iMET Center Clery Geography	101

Quick Reference Resources

If you need to report a fire, medical or other emergency on or off campus in the Burlington, Elkhorn, Kenosha or Racine area, **DIAL 911**.

Campus Security Offices:

Kenosha Campus: 262-564-2208, Located in Room M102 in the Academic Building near Student Commons
Security Officers available on campus from 6:30am-11:00pm on Monday-Friday and 8:00am-3:00pm on Saturday

Racine Campus: 262-619-6208, Located in Room R103 in the Racine Building 1st Floor
Security Officers available on campus from 6:30am-11:30pm on Monday-Friday and 8:30am-4:30pm on Saturday

Elkhorn Campus: 262-741-8208, Located in Room 109 in the South Building by Student Commons
Security Officers available on campus from 6:30am-10:30pm on Monday-Friday and 7:30am-1:30pm on Saturday

Burlington Center: 262-767-5208, Located in Room 101 in Burlington Center
Security Officers available on campus from 2:30pm-10:30pm on Monday-Friday*

*Phone will be routed to Elkhorn Security Office if Security Staff is not present.

Non-Emergency Local Law Enforcement Contact Information:

Kenosha Police Department: 262-656-1234

Racine Police Department & RCSO: 262-886-2300

Elkhorn Police Department: 262-723-2210

Burlington Police Department: 262-342-1100

Sturtevant Police Department: 262-886-2300

Pleasant Prairie Police Department: 262-694-7353

Additional Resources:

Student Support Counselor Appointment Line: 800-247-7122

Title IX Coordinator/Office for Equal Opportunity & Civil Rights: 262-564-3062

Women's & Children's Horizons Sexual Assault Advocate: 262-652-9900 or 1-800-853-3503

Kenosha County Crisis Hotline: 800-236-7188

Racine County Crisis Hotline: 262-638-6741

Walworth County Crisis Hotline: 800-365-1587

Introduction

Gateway Technical College, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act, has published this document to provide its students and employees with an overview of the College's security and safety resources, policies, and procedures. The full text of this report can be found on our website at www.gtc.edu/safety-and-security. This report is prepared in cooperation with the local law enforcement agencies surrounding each district location, The Deans of Campus Affairs for each campus, Safety and Security Department, Human Resources, Office for Equal Opportunity and Civil Rights, Student Services Department and the Student Success Department. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law) and to all College Deans, Directors, and Department Heads.

All of the statistics are gathered, compiled, and reported to the College community via this report, which is published by Safety and Security Department. The Safety and Security Department submits the annual crime statistics published in the document to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

Campus crime, arrest and referral statistics include those reported to the Department of Safety and Security, designated campus officials and local law enforcement agencies as well as those reported utilizing our web based incident report forms. Each year, by October 1st as required by law, a notification is made to all enrolled students, faculty and staff that provides the website to access this report. In addition, it provides information that hard copies may be obtained through the Associate Vice President of Facilities and Security, 3520 30th Avenue, Kenosha, WI 53144 or by calling (262)564-2812. Prospective and current employees and students may request copies of the report through the same means provided above.

Gateway Technical College does not have on-campus housing facilities and is therefore not required to have a Fire Log or publish a Fire Safety Report. In addition, the college is also not required to have a missing student notification procedure. If any person suspects that a family member or acquaintance is missing a report should be filed with local law enforcement.

Gateway Technical College Background and History

Gateway Technical College is one of 16 Technical Colleges that operate within Wisconsin in a statewide plan for vocational, technical and adult education. The District serves three counties in Southeast Wisconsin (Kenosha, Racine and Walworth). It originated and began classes on November 3, 1911 as the first compulsory, publicly funded school in Wisconsin – and, in doing so, also became the first in America. In 1912, a state sanctioned technical school opened in Kenosha, WI call the Kenosha Technical Institute.

Kenosha County established the first Vocational, Technical and Adult Education District under state law in 1965, which allowed district formation beyond city limits on July 1, 1966. Walworth County joined the Kenosha District in 1967 to form District 6, and the city of Racine expanded services on July 1, 1967, to include Racine County. On July 1, 1971, a new Vocational, Technical, and Adult Education District 6 was formed comprising Kenosha, Racine and Walworth Counties. The name "Gateway" was adopted October 19, 1972, by the District Board, replacing reference to District 6, with campuses at Elkhorn, Kenosha and Racine. In 1994 the state technical college system became the Wisconsin Technical College System. As was the case in 1911, Gateway Technical College today continues to meet the need for skilled workers in technical oriented fields.

From a single building in Racine, Wisconsin 105 years ago, Gateway Technical College has grown to servicing over 20,000 students annual across three Campuses and five Advanced Technology Centers throughout the tri-county area. Gateway Technical College offers more than 65 education programs for health, business, manufacturing, engineering, IT and service careers.

Department of Safety and Security

The Safety and Security Department provides year round security services on campus while the college buildings are open to the public. Security Officers and staff are responsible to Gateway Technical College for the enforcement of College policies and Federal and State laws for campus administrative purposes only. Security professionals respond to a variety of calls for help, from medical emergencies, calls for service, parking enforcement, and criminal activity. They are the point of contact for the campus community and enforcement of all college policies and procedures. Foot and vehicle patrols of campus grounds and buildings, designed to detect crimes in action and prevent potential crimes, are accomplished during open campus hours. The officers also monitor over 400 security cameras to prevent and deter crime on all of our campus locations. Security office hours for each campus are located in the Quick References Resources at the beginning of this guide. In addition, during these patrols, officers also report any conditions they notice that might pose a threat to campus safety or security. The campus grounds are protected by intrusion detection alarms and an alarm response security element while the buildings are locked and unoccupied.

The Campus Security Officers are provided by a contract security agency. All of the officers are certified by the State of Wisconsin and maintain certification in first aid, CPR and AED operations. Many of the officers have additional law enforcement training and certifications. Gateway Technical College also has a Title IX coordinator who is trained to conduct investigations into sexual misconduct, dating violence, domestic violence and stalking.

Gateway Technical College Security Officers have the authority to ask persons for identification and to determine whether an individual has lawful business at the college. The officers are not sworn law enforcement officers and do not possess official powers of arrest authority. Security Officers have the authority to enforce Gateway Technical College policies, but not local, state and federal laws. Gateway Technical College maintains strong working relationships with the Kenosha Police Department, Kenosha County Sheriff's Office, Pleasant Prairie Police Department, Racine Police Department, Racine County Sheriff's Office, Sturtevant Police Department, Burlington Police Department, Elkhorn Police Department and the Walworth County Sheriff's Office. The college relies on them for the investigation of incidents and enforcement of all local, state and federal laws as appropriate. The College has written memorandums of understanding regarding investigation of criminal incidents or sexual misconduct with the City of Burlington Policy Department and Sturtevant Police Department, and is currently working to formalize our strong relationships with formal agreements with other law enforcement agencies in the district.

The Department of Safety and Security's jurisdiction encompasses on campus property that includes all academic, maintenance and administrative buildings and/or facilities; designated non-campus properties and facilities; public property adjacent to or contiguous to on campus property, and leased, rented, or otherwise recognized and/or controlled buildings, spaces, and/or facilities. The Department of Safety and Security does not have jurisdiction or enforcement authority outside of its identified Clery reporting geography. This includes areas and/or properties that are not owned, rented, leased, recognized or otherwise controlled by the college.

The College is a non-residential college and therefore does not provide 24-hour security coverage. Coverage of the campus is provided during normal campus open hours as dictated by the College Provost. Security operating hours for each location are provided in the Quick Reference Resources at the beginning of this document. During campus closure hours (10:30pm-6:30am Monday-Friday, after 3pm on Saturdays and all day Sunday), the

college facilities are locked and the buildings alarmed with an intrusion detection system. The Alarms are monitored 24 hours a day by a monitoring company and all alarms are investigated by the Department of Safety and Security or by local emergency responders depending on the nature of the incident. In addition, all locations are equipped with digital video systems which record 24 hours a day, seven days a week.

All Gateway Technical College locations are accessible to students, staff and the general public during normal campus hours. However, the campus grounds are open to vehicular and pedestrian access 24 hours a day, seven days a week. Only select authorized individuals are given card access authorization and alarm access codes to enter the facilities outside of normal operating hours.

All crime victims and witnesses are strongly encouraged to immediately report the crime to the Campus Security Offices, Associate Vice President of Facilities and Security, Dean of Campus Affairs or the appropriate local law enforcement agency when necessary. In addition, victims and/or witnesses can complete an online incident report at www.gtc.edu/safety-and-security. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics. Gateway Technical College personnel will conduct investigations and work with local law enforcement agencies as appropriate.

Department of Safety and Security Training

The Associate Vice President of Facilities and Security along with the Contract Manager for G4S are primarily responsible for conducting intensive and continuing training for campus security officers. Training subjects include jurisdiction, legal considerations, report writing/interview skills, Use of Force, the Clery Act, Title IX, public relations, race relations, crisis intervention, verbal de-escalation, emergency response, first aid, and physical security. Training includes in-service sessions with department and guest lecturers, applicable online training/webinars, and regular supervisor training sessions.

CARE Team

The CARE team receives all reports of behavioral concerns. The team provides a collaborative, cross-functional approach to assessing and responding to individuals who might pose a threat to themselves or others. The CARE team is comprised of representatives of the following offices: Safety and Security, Dean of Learning Success, Dean of Campus Affairs – Kenosha, Dean of Campus Affairs – Racine, Dean of Campus Affairs – Elkhorn, Burlington Center Administrator, iMET Center Administrator, Human Resources (Title IX Officer), and Student Support Counselors. Any behaviors of concern, such as individuals who are depressed, making inappropriate comments or threats, or exhibiting disruptive behavior, should be reported to the CARE team immediately. The CARE Team's website, www.gtc.edu/CARE, includes an online referral form by which any member of the Gateway community can refer an issue of concern to the team for review.

Separate Campus Locations

All policy statements and information contained in this report apply to all campus locations unless otherwise indicated.

Security of and Access to College Facilities

Gateway Technical College is open to the public. The majority of academic and administrative buildings are open during normal campus hours (typically Monday through Friday, from 6:30am to 10:30pm, except holidays) and are secured during the late evening hours, depending upon special event scheduling and community usage. Certain areas not designated as publically accessible spaces are controlled by access control systems. Members of the Safety and Security Department regularly patrol the interiors and exteriors of campus facilities.

Security Considerations Used in the Maintenance of College Facilities

Gateway Technical College maintains campus facilities and landscaping in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. The Safety and Security Department works closely with the Facilities Department to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. Other members of the College community are helpful when they report equipment problems to the Safety and Security Department or to the Facilities Department as soon as the deficiency is identified. In addition, the Department of Safety and Security conducts monthly inspections of all AEDs, AlertUS Beacons, Fire Extinguishers and First Aid Cabinets to ensure they are in proper working order.

Reporting a Crime, Emergency or Safety Concern and College Response

Community members, students, faculty, staff and visitors are encouraged to report all potential criminal activity, emergencies and safety concerns or suspicious behavior occurring within the College's Clery geography to the Gateway Technical College Department of Safety and Security in an accurate, prompt and timely manner. The College's Clery geography includes: on campus property including campus buildings, and/or facilities; designated non-campus properties and facilities; public property adjacent to or contiguous to on campus property, and leased, rented, or otherwise recognized and/or controlled buildings, spaces, and/or facilities. The Department of Safety and Security has been designated by Gateway Technical College as the official office for campus crime reporting. The Department of Safety and Security strongly encourages the accurate and prompt reporting of crimes. Accurate and prompt reporting ensures the college is able to evaluate, consider and send timely warning reports and accurately document reportable crimes in its annual statistical disclosure. Gateway Technical College further encourages accurate and prompt reporting to the Department of Safety and Security and/or the local police when the victim of a crime elects to, or is unable to, make such a report. This publication focuses on the Department of Safety and Security because it has primary responsibility for patrolling the Gateway Technical College. However, criminal incidents or incidents off campus can be reported to the local Law Enforcement agency that has jurisdiction.

To report a crime or emergency, members of the community should:

1) Call the Department of Safety and Security or report in person using one of the below Campus Security Offices:

Kenosha Campus (Responsible for Horizon Center):

Location: Room M102 (Academic Building)

Office Hours: 6:30am-10:30pm on Monday-Friday and 8:00am-3:00pm on Saturday**

Phone Number: 262-564-2208

Email: securityk@gtc.edu

Racine Campus (Responsible for SC Johnson iMET Center):

Location: Room R103 (Racine Building, 1st Floor)

Office Hours: 6:30am-11:30pm on Monday-Friday and 8:30am-4:30pm on Saturday**

Phone Number: 262-619-6208

Email: securityr@gtc.edu

Elkhorn Campus (Responsible for HERO/Burlington Centers when Burlington Office not staffed):

Location: Room 109 (South Building)

Office Hours: 6:30am-10:30pm on Monday-Friday and 7:30am-1:30pm on Saturday**

Phone Number: 262-741-8208

Email: securitye@gtc.edu

Burlington Center (Responsible for HERO Center):

Location: Room 101 (Burlington Center)

Office Hours: 2:30am-10:30pm on Monday-Friday**

Phone Number: 262-767-5208*

Email: securityb@gtc.edu

*Phone will be routed to Elkhorn Security Office if Security Staff is not present.

**After hours emergencies should be reported by dialing 911.

Reporting to Meet Disclosure Requirements

Members of the community are helpful when they immediately report crimes or emergencies to the Campus Safety and Security and/or Campus Deans and Director of Compliance for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

- Associate Vice President of Facilities and Security, Kenosha Administration Center, 262-564-2812
- Kenosha Campus Security, Kenosha Academic Building, Room M106, 262-564-2208
- Racine Campus Security, Racine Building, Room R103, 262-619-6208
- Elkhorn Campus Security, Elkhorn South Building, Room 109, 262-741-2808
- Burlington Campus Security, Burlington Center, Room 101, 262-767-5208
- Dean of Campus Affairs, Kenosha Campus, Room A110, 262-564-2640
- Dean of Campus Affairs, Racine Campus, Room A109A, 262-564-2672
- Dean of Campus Affairs, Elkhorn Campus, Room E227, 262-564-2820
- Director of Compliance, Room AD105, 262-564-3062

If an incident affecting you or if you are a witness to an incident occurs at a location not specifically covered by the Department of Safety and Security (i.e. Kansasville Fire Training Area or Lakeview Advanced Technology Center), please contact the Associate Vice President, Facilities and Security at 262-564-2812 or cousinot@gtc.edu or contact the local law enforcement agency to report an incident. Online incident reports can also be filed at www.gtc.edu/safety-and-security.

2) Crimes or emergency situations can be reported to local emergency services by dialing 911.

3) Sex Offenses and other incidents of sexual misconduct, relationship or dating violence can also be reported to the college's Director of Compliance/Title IX Coordinator, Josh Vollendorf, by calling 262-564-3062 or email at vollendorfi@gtc.edu. In person reports can be filed through their office in the Administration building on the Kenosha Campus (3520 30th Avenue, Kenosha, WI).

4) Complete the online Maxient Incident reporting form at: <https://www.gtc.edu/security>. The form is located under the resources section.

A person reporting a crime to the Department of Safety and Security has the right to report the crime to local law enforcement by calling 911 or contacting them via their non-emergency response number. Security Officers regularly discuss this option with the victim of a crime and will assist the victim with that process.

The Department of Safety and Security procedures work to provide an immediate response to emergency calls. The department also works closely with a full range of emergency responder resources to assure a complete and

timely response to all emergency calls. Priority response is given to crimes against persons and personal injuries. The Department responds to all reports of crime and/or emergencies that occur within their jurisdiction. All reported crimes will be investigated by the college and may become a matter of public record. All incidents and reports of incidents occurring on-campus, or non-campus buildings, or on recognized public property adjacent to or contiguous to College-owned, -controlled, -operated, or -recognized facilities, buildings, or areas are documented and processed for further investigation and review by the Associate Vice President, Facilities and Security, Dean of Campus Affairs and/or local law enforcement, depending upon the nature of the crime or emergency. If assistance is required from local law enforcement, the Department of Safety and Security will contact the appropriate agency for further assistance and investigation. Additional information obtained via any investigation will also be forwarded to the Dean of Campus Affairs that handle any potential student code of conduct violations or the Human Resources Department if the incident involves an employee.

If a sexual assault or sexual misconduct should occur on campus, staff on scene, including the Department of Safety and Security, will offer the victim a wide variety of resources and services. This publication contains information about on and off campus resources and services and is made available to the Gateway Technical College community. The information regarding “resources” is not provided to infer that those resources are “crime reporting entities” for Gateway Technical College.

The college will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the college against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. As the college is required to provide both the accused and the accuser with simultaneous written notification of any result of any college disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking; it is not necessary for a victim to make a written request in these instances.

Gateway Technical College does not operate non-campus housing and does not have non-campus student organizations. Gateway Technical College also does not have officially recognized student organizations that own or control housing facilities. Therefore, local law enforcement is not used to monitor and record criminal activity at these locations since there are no non-campus locations of student organizations. On-campus student organizations that engage in off-campus activities should report crime incidents to the local law enforcement agency where the incident occurred and also to the Campus Security Office using the procedures listed above. Crimes should be reported to the Campus Security Office, Associate Vice President of Facilities and Security or Dean of Campus Affairs to ensure inclusion in the Annual Security Report and to aid in providing timely warning notices to the community when appropriate.

Responsibilities of the Community for their own personal safety

Members of the Gateway Technical College community must assume responsibility for their own personal safety and the security of their personal property. The following precautions provide guidance:

- Report all suspicious activity to Department of Safety and Security immediately.
- Never take personal safety for granted.
- Try to avoid walking alone at night. Contact Campus Security for escort if needed.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, backpacks, computers, phones, etc.) unattended.
- Lock up your bicycles. Lock car doors and windows when leaving your car. Do not leave valuables visible.
- Engrave owner’s information on items of value.

- Inventory your personal property and insure it appropriately with personal insurance coverage.

Voluntary Confidential Reporting Procedures

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a Department of Safety and Security officer can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sexual assault or other form of sex-based misconduct). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Pastoral and Professional Counselors

Students may make confidential reports to professional counselors (i.e. Student Support Counselors) assigned to the college. A Professional Counselor is defined as: a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of her/her license or certification. These counselors, when acting in their official capacity and function, are not considered to be a campus security authority for Clery Act purposes and do not make identifiable reports of incidents to the official on-campus resources unless the student specifically requests them to do so; however, the college encourages counsellors, if and when they deem it appropriate, to inform students they can voluntarily report incidents of crime to the Department of Safety and Security, which can be done directly or anonymously through the online Maxient incident reporting system.

Pastoral Counselor is defined as: An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. Gateway Technical College does not employ Pastoral Counselors.

To ensure anonymous reporting via the online Maxient incident report, found at www.gtc.edu/safety-and-security under the resources tab, the individual should ensure they are not logged into their GTC Google accounts at time of filing and do not fill out any contact information at the time of the report.

The Department of Safety and Security, unless otherwise prescribed by law or as set forth within this Annual Security Report, does not take anonymous incident reports. While anonymous reporting is available by limited means, the College's ability to investigate and appropriately address allegations of misconduct will be significantly limited. Crimes reported confidentially to the Student Support Counselors are not disclosed in the College's crime statistics or reporting processes, unless those crimes are officially reported by the counselee.

Faculty and staff may contact the Human Resource Department for information regarding confidential counseling services.

Daily Crime Log

The Department of Safety and Security makes the Daily Crime Log for the most recent 60-day period open to public inspection at any of the campus security offices or at the Office of the Associate Vice President, Facilities

and Security in the Administration Building located at 3520 30th Avenue, Kenosha, WI 53144 from 8 a.m.– 5 p.m. Monday through Friday, excluding holidays. Any portion of the Crime Log that is older than 60 days are made available for public inspection within two business days of request. Formal requests can be made to cousinot@gtc.edu or at 262-564-2812. The information in the Crime Log typically includes the incident number, crime classification, date reported, date occurred, general location, and disposition of each reported crime. The names of crime victims will not be listed on the Daily Crime Log. Faculty, Staff and Students are encouraged to review the Daily Crime Log periodically to become more familiar with the types and locations of criminal incidents which may impact Gateway Technical College's community. The Daily Crime log is also kept electronically and can be found at www.gtc.edu/safety-and-security under the Annual Security Report tab.

Timely Warning Notifications and Emergency Notifications

Gateway Technical College is responsible for issuing emergency notifications and timely warning notifications in compliance with the Higher Education Opportunity Act (HEOA) of 2008 and the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), 20 U.S.C. 1092(f). The purpose of this policy is to set forth the procedures by which the college shall provide an emergency notification or timely warning notification to the Gateway community in the event that a significant emergency or dangerous situation is reported to the college that poses an immediate, imminent, or impending threat; or a crime is reported to the college or local police authorities that constitutes a serious or continuing threat.

In the event that a confirmed situation comes to the attention of the college and is considered to meet the criteria of a Timely Warning Notice or Emergency Notification, the Associate Vice President, Facilities and Security or designee, in consultation with the Crisis Communication Team, will issue the message using any and/or all means deemed necessary to ensure the proper dissemination of the message.

Timely Warning Notifications and Emergency Notifications are intended to serve all members of the college community. College employees and students should recognize that persons away from their telephones and other communication devices, visitors, contractors working on site, and others who do not have access to college communication systems will not receive emergency messages. Therefore, persons receiving the messages should notify others in the vicinity and relay instructions as appropriate. Tour guides and special event sponsors are responsible for relating messages and instructions to the people they are hosting. Lastly, departments hosting contractors and other casual workers are responsible for relaying notifications and instructions to those personnel, as appropriate.

DEFINITIONS

Timely Warning Notice: Notice to all members of the campus community when a specific crime, as defined by the Clery Act, has occurred on or in close proximity to the campus, and the crime represents a serious or continuing threat to members of the campus community. These notices will be called "Campus Safety Alerts."

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

1. Murder/Non-Negligent Manslaughter
2. Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case by case basis to determine if the individual is believed to be an on-going threat to the community).
3. Robbery involving force or violence (cases involving pick pocketing and purse snatching will typically not result in the issuance of a Campus Safety Alert, but will be assessed on a case by case basis).
4. Major incidents of Arson

5. Sex Offenses (considered on a case by case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information know by the Associate Vice President, Facilities and Security, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
6. Other crimes as determined necessary by the Associate Vice President, Facilities and Security, or his or her designee in his or her absence.

Timely Warning Notices may also be posted for other crime classifications and locations, even though that is not required by the law, at the sole discretion of Gateway Technical College.

Anyone with information they believe warrants a Timely Warning Notification or an Emergency Notification should report the situation to the college’s security team:

Associate Vice President, Facilities and Security: 262-564-2812

Kenosha Security Office: 262-564-2208

Racine Security Office: 262-619-6208

Burlington Security Office: 262-767-5208 (Available after 2:30pm Monday-Friday)

Elkhorn Security Office: 262-741-8208

TIMELY WARNING NOTIFICATION PROCEDURE

In the event a crime is reported or a situation arises, within the Gateway Technical College Clery Geography (On Campus, Public Property and Noncampus property), that, in the judgment of the Associate Vice President, Facilities and Security and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide “timely warning” notice will be issued.

The warning should be issued as soon as the pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. The intent of a Timely Warning Notification is to alert the campus community of continuing threats, thereby enabling community members to protect themselves. The issuing of a Timely Warning Notice must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the college community and the possible risk of compromising law enforcement efforts.

A timely warning notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

1. Date and time or timeframe of the incident
2. A brief description of the incident
3. The location of the incident
4. Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).
5. Suspect description(s) when deemed appropriate and if there is sufficient detail (see below)
6. Police/Security contact information
7. Other information as deemed appropriate by the Associate Vice President, Facilities and Security or designee

*NOTE: The institution will not withhold a basic description of the reported crime under the auspices of the risk of compromising law enforcement efforts. Specific details, such as the exact location, the specific date, etc.

could be withheld if releasing that information may compromise law enforcement efforts (such as conducting an investigation, serving a warrant, or conducting an undercover operation, etc.).

The description of subjects in a case will only be included in the alert if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, that will not be included in the alert. In addition, the alert will not include any information that could potentially lead to the identification of any potential victims.

The decision to draft and issue a Timely Warning Notification will be made by the Associate Vice President, Facilities and Security, in coordination and consultation with the Crisis Communication Team. In an extreme emergency, the notification process will be implemented at the sole direction of the Associate Vice President, Facilities and Security or designee.

Crisis Communications Team:

President or designee

Vice President, Community and Government Relations

Dean, Campus Affairs (for affected campus)

Director, Marketing and Communications

Associate Vice President, Facilities and Security

Communications Specialist

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

Upon receiving pertinent information of information that that requires the issuance of a Timely Warning Notice, the Associate Vice President, Facilities and Security will initiate a convening of the Crisis Communications Team without delay to implement the notification process. The information may be disseminated to the college community via a variety of communication mediums. The college will use, but not limited to, one or more of the following means:

- 1) Email messages
- 2) AlertME messages to cell phones registered in the college's emergency alert service
- 3) AlertUS Beacons
- 4) Posting message on Website and social media platforms
- 5) Desktop Notification Message to college owned computers (with software feature)
- 6) Message posted to emergency notification line (1-800-353-3152)
- 7) Public announcements to media agencies (i.e. news and radio)
- 8) Postings and signs in highly visible locations throughout the college.

The department does not issue Crime Alerts for the above listed crimes if:

1. Local Law Enforcement apprehends the subject(s) and the threat of imminent danger for members of the Gateway community has been mitigated by the apprehension.
2. A report was not filed with Local Law Enforcement, or a Campus Security Authority was not notified of the crime in a manner that would allow the department to post a timely warning for the community. A general guideline will include a report that is filed more than ten days after the date of the reported incident may not allow Local Law Enforcement/Campus Security to post a timely warning to the community. This type of situation will be evaluated on a case by case basis.

Public Safety Advisories may be distributed for crimes (ex. a pattern of larcenies or vandalism cases) that do not rise to the level of causing a serious or continuing threat to the Gateway Community. In addition, they may be distributed for other safety concerns (mulch fires, etc).

EMERGENCY NOTIFICATION PROCEDURE

In the event of an emergency, Gateway Technical College will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the College's community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee and visitors.

Emergency Notifications: Notice to all members of the campus community of an emergency or dangerous situation that poses an immediate threat to the health or safety of students, employees, or others on campus. Examples of emergency or life threatening situations that may require an emergency situation include, but are not limited to:

1. Active shooter situations/persons with dangerous weapons
2. Threats of violence
3. Bomb Threats
4. Fire and/or power outages
5. Weather related emergencies
6. Serious acts or threats to campus-owned or personal property

The Safety and Security staff is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders and/or the national weather center

An Emergency Notification will be used when it is determined that there is a significant emergency or dangerous situation involving an immediate threat to the health and/or safety of the community occurring on campus. The notification may contain only the information that is reasonably necessary to promote the safety of the college community as dictated by the situation. Gateway Technical College will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the judgment of the first responders (including, but not limited to: Department of Safety and Security, local law enforcement, and/or the Local Fire and Emergency Medical Services), compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency.

If the Associate Vice President, Facilities and Security, or designee, in conjunction with other College administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Gateway Technical College Community,

The decision to draft and issue an Emergency Notification will be made by the Associate Vice President, Facilities and Security, in coordination and consultation with the Crisis Communication Team. In an extreme emergency, the notification process will be implemented at the sole direction of the Associate Vice President, Facilities and Security or designee and will use some or all of the systems described below to communicate the threat to the Gateway Technical College Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The Crisis Communications Team will determine which population segments need to be notified.

Crisis Communications Team:

President or designee
Vice President, Community and Government Relations
Dean, Campus Affairs (for affected campus)
Director, Marketing and Communications
Associate Vice President, Facilities and Security
Communications Specialist

Upon receiving pertinent information of an emergency situation that requires an immediate response, the Associate Vice President, Facilities and Security will initiate an emergency convening of the Crisis Communications Team without delay to implement the notification process. The information may be disseminated to the college community via a variety of communication mediums. The college will use, but not limited to, one or more of the following means:

- 1) Email messages
- 2) AlertME messages to cell phones registered in the college's emergency alert service
- 3) AlertUS Beacons
- 4) Posting message on Website and social media platforms
- 5) Desktop Notification Message to college owned computers (with software feature)
- 6) Message posted to emergency notification line (1-800-353-3152)
- 7) Fire Alarm (where available)
- 8) Public announcements to media agencies (i.e. news and radio)
- 9) Postings and signs in highly visible locations throughout the college
- 10) and/or in person communication

If any these systems fail or the College deems it appropriate, in person communication may be used to communicate an emergency.

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the Gateway Technical College homepage and/or social media.

If an Emergency Notification is issued, an institution is not required to issue a Timely Warning Notification for the same circumstance however, the institution must provide adequate follow-up information to the community as needed.

Once the situation no longer poses a threat, an "all clear" message will be transmitted to the college community utilizing the same methods used for dispersal of the notice. Furthermore, any required follow-up information will be distributed using some or all of the identified communications systems as identified above (except fire alarm).

Off-Campus Emergencies

Gateway Technical College officials sometimes receive emergency information from our local law enforcement partners regarding incidents that could impact our college community. When appropriate, the Department of Safety and Security will notify the college community of off-campus threats that could represent a serious or continuing threat to students, employees, and visitors.

Emergency Response & Evacuation Procedures

The Gateway Technical College Emergency Response Plans are designed to provide a resource for Gateway Technical College employees, students and community members and to assist with providing information and

guidelines in planning and responding to a crisis. The plan outlines incident priorities, campus organization and specific responsibilities of certain departments on campus. While the plan does not cover every conceivable contingency situation, it does supply the basic guidelines necessary to respond to most campus emergencies.

In conjunction with other emergency agencies, the College conducts emergency response drills and exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Gateway Technical College regularly conducts fire drills requiring evacuation of its facilities. These tests may be announced or unannounced. These drills are used to: Familiarize community members to the audible and visible evacuation signals and the exit routes available to use in the event of a fire or other situation that may require immediate evacuation; Evaluate the performance of the employees and the evacuation procedures for effectiveness.

Emergency Evacuation Procedures

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Department of Safety and Security does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Safety and Security staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Gateway Technical College, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

Evacuation is mandatory for all individuals when the fire alarm is sounding. Anyone who fails to evacuate may face disciplinary action.

General Evacuation Procedures

Once a fire alarm sounds, do not assume that a fire alarm is a drill or false alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and dial 911. Remain calm and evacuate the facility. Do NOT use Elevators, Use the Stairs. Assist the physically impaired. If he/she unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform Department of Safety and Security or the responding Fire Dept. of the individual's location.

Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles. Make sure all personnel are out of the building.

Remember to follow the instruction of the emergency first responders. If you have any information regarding the alarm, present that information immediately to the responding emergency personnel. While evacuating, remain attentive for dangerous or criminal activity that may be associated with the evacuation notice. Do not re-enter the facility until authorized by a member of the campus facilities department, security officer or a college administrator.

Co-located with the *ALERTUS* beacons are building maps that display the location of building egress routes, location of fire extinguishers, fire alarm pull stations and defibrillators. In the event of severe weather, campus locations have been identified with a wall mounted “flag” sign holder as severe weather refuge areas. The Emergency Response Guides for each campus are available on the Safety and Security web page and can be viewed at www.gtc.edu/safety-and-security. Please review the guide regularly to be prepared in the event of an emergency.

Shelter-in-Place Procedures –What it Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, Department of Safety and Security, other College employees, Local law enforcement or other emergency service agencies, or other authorities utilizing the College’s emergency communications tools.

How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - An interior room;
 - Above ground level; and
 - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.

4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (College staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to Department of Safety and Security so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

Security Awareness and Crime Prevention Programs

Gateway Technical College is committed to a safe and secure learning environment. This is achieved by providing training and information to both students and employees employing various methods. A common theme of all awareness and crime prevention programs is to encourage students and employees to be responsible for their own safety and for the safety of others on campus. In 2018, the college offered twelve active shooter training sessions; eleven self-defense workshops; eleven sessions on Title IX and VAWA for employees; five sessions relating to Title IX, VAWA, safety and security, and the CARE team for new students, Promise students, and the parents of Promise students. In addition, the college provided one session of Bringing in the Bystander training.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Participants in the various offered programs are asked to be alert, security-conscious and involved and advised to call the Department of Safety and Security to report any suspicious behavior. For additional information regarding different awareness seminars or programs upcoming, contact the Associate Vice President of Facilities and Security at 262-564-2812.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs that are offered to all incoming students and new employees and ongoing awareness and prevention campaigns for students and that:

- A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Wisconsin;
- D. The institution's definition of consent AND the purposes for which that definition is used.
- E. A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional

structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

- F. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- G. Information regarding:
 - a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
 - b. how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
 - c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
 - d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document).

Primary Prevention and Awareness Programs:

Students

The first action of prevention and awareness occurs during new student orientation, which occurs at the beginning of each semester at each campus location. Incoming students are educated as to how to remain safe while on campus, securing valuable belongings, being prepared in the event of an emergency, how to report incidents and crimes and who to report to, the role of the CARE team and confidential counselors, what the Violence Against Women Act is and the role of Title IX (i.e. Dating Violence, Domestic Violence, Sexual Assault and Stalking), procedures for getting help should you encounter any form of sexual misconduct or sexual assault.

Employees

The first action of prevention and awareness occurs during new employees Gateway Journey and the new faculty institute. New employees are taught about the college’s emergency response procedures, how to remain safe on campus, how to report incidents and crimes and who to report to, the role of the CARE team and other resources available to students in need, what the Violence Against Women Act is and the role of Title IX (i.e. Dating Violence, Domestic Violence, Sexual Assault and Stalking), procedures for getting help should you encounter any form of sexual misconduct or sexual assault. All new full-time employees are required complete a two-hour class on sexual misconduct and discrimination and all other employee classes (part-time, casual, student employees) are invited to attend.

Students

Seminars, workshops and informational documents were offered to students regarding Title IX, sexual assault, Domestic Violence, and stalking prevention and awareness, CPR/First Aid, active shooter, and self-defense

throughout the year. In addition, campus public safety announcements are made to keep students aware of on-going trends as well as engaged in their own personal safety to help prevent future incidents.

Employees

Various seminars are offered multiple times per year on the topics of Safety, Security, Title IX, Suicide Prevention, Alcohol and Drug Abuse prevention. Special training is provided to employees who hold responsibility for ensuring compliance with Title IX, Clery Act and student conduct. Also, at different department and campus meetings the Department of Safety and Security provides updates to faculty and staff in attendance on various topics to increase awareness and safety. Campus public safety announcements are made throughout the year to keep employees engaged in their own personal safety. Lastly, seminars, workshops and informational documents were offered to students regarding Title IX, Stalking Awareness, CPR/First Aid and self-defense throughout the year.

Alcohol and Drug Policy

Gateway Technical College, in keeping with the federal Drug-Free Workplace Act of 1988, the federal Drug-Free Schools and Communities Act (DFSCA) of 1989, and state policies on alcohol and illegal drugs, prohibits the unlawful or unauthorized possession, use, sale, manufacture, distribution, or dispensation of alcohol and illegal drugs by employees and students in the workplace, on College property, or as part of any campus activity.

Employee or student violators are subject to disciplinary action, up to and including termination of employment and expulsion. Violators may also be subject to criminal prosecution, fine and imprisonment for violations. The College's Department of Safety and Security reports violations of law to the appropriate college department and works in collaboration with the state and local police, who are responsible for enforcing the laws of the state of Wisconsin, including laws relative to the possession, use, and sale of alcoholic beverages

In compliance with the Drug Free Schools and Communities Act, Gateway Technical College publishes information regarding the College's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for Gateway Technical College students and employees. A complete description of these topics, as provided in the College's annual notification to students and employees, is available below.

Health Risks of Drug Use

The information in this section is taken from the U.S. Department of Justice's 2015 publication "Drugs of Abuse." Students and employees are strongly encouraged to review this publication for more detailed information regarding the health risks associated with alcohol and illicit drug use and abuse. The full publication is available online at: https://www.dea.gov/pr/multimedia-library/publications/drug_of_abuse.pdf.

The *Controlled Substances Act* (CSA) places all substances which were in some manner regulated under existing federal law into one of five schedules. This placement is based upon the substance's medical use, potential for abuse, and safety or dependence liability. A description of each schedule is included below:

Schedule I

- The drug or other substance has a high potential for abuse.
- The drug or other substance has no currently accepted medical use in treatment in the United States.
- There is a lack of accepted safety for use of the drug or other substance under medical supervision.

- Examples of Schedule I substances include heroin, gamma hydroxybutyric acid (GHB), lysergic acid diethylamide (LSD), marijuana, and methaqualone.

Schedule II

- The drug or other substance has a high potential for abuse.
- The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- Abuse of the drug or other substance may lead to severe psychological or physical dependence.
- Examples of Schedule II substances include morphine, phencyclidine (PCP), cocaine, methadone, hydrocodone, fentanyl, and methamphetamine.

Schedule III

- The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.
- Anabolic steroids, codeine and hydrocodone products with aspirin or Tylenol®, and some barbiturates are examples of Schedule III substances.

Schedule IV

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.
- Examples of drugs included in Schedule IV are alprazolam, clonazepam, and diazepam.

Schedule V

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV.
- Cough medicines with codeine are examples of Schedule V drugs.

The Controlled Substances Act (CSA) regulates five classes of drugs:

- Narcotics,
- Depressants,
- Stimulants,
- Hallucinogens and
- Anabolic steroids.

Each class has distinguishing properties, and drugs within each class often produce similar effects. However, all controlled substances, regardless of class, share a number of common features. All controlled substances have abuse potential or are immediate precursors to substances with abuse potential. With the exception of anabolic steroids, controlled substances are abused to alter mood, thought, and feeling through their actions on the

central nervous system (brain and spinal cord). Some of these drugs alleviate pain, anxiety, or depression. Some induce sleep and others energize. Though some controlled substances are therapeutically useful, the “feel good” effects of these drugs contribute to their abuse. The extent to which a substance is reliably capable of producing intensely pleasurable feelings (euphoria) increases the likelihood of that substance being abused.

Drug use can have a wide range of short and long term effects on your overall health. For further information on the health risks associated with drug use, please visit: <https://www.drugabuse.gov/related-topics/health-consequences-drug-misuse>

Health Risks of Alcohol Abuse

The consequences associated with alcohol abuse among college students are far reaching. According to the National Institute on Alcohol Abuse and Alcoholism, “Students who engage in risky drinking may experience blackouts (i.e., memory loss during periods of heavy drinking); fatal and nonfatal injuries, including falls, drownings, and automobile crashes; illnesses; missed classes; unprotected sex that could lead to a sexually transmitted disease or an unwanted pregnancy; falling grades and academic failure; an arrest record; accidental death; and death by suicide. In addition, college students who drink to excess may miss opportunities to participate in the social, athletic, and cultural activities that are part of college life.”¹

The risks are not just limited to students. The Centers for Disease Control and Prevention identifies the following short-term and long-term health risks related to alcohol use and abuse:²

Short-Term Health Risks

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns.
- Violence, including homicide, suicide, sexual assault, and intimate partner violence.
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels.
- Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV.
- Miscarriage and stillbirth or fetal alcohol spectrum disorders (FASDs) among pregnant women.

Long-Term Health Risks

Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems.
- Cancer of the breast, mouth, throat, esophagus, liver, and colon.
- Learning and memory problems, including dementia and poor school performance.
- Mental health problems, including depression and anxiety.
- Social problems, including lost productivity, family problems, and unemployment.
- Alcohol dependence, or alcoholism.

1 Taken from: http://www.collegedrinkingsprevention.gov/niaacollegematerials/panel01/highrisk_04.aspx

3 These health risks have been reproduced verbatim from the CDC’s “Fact Sheets-Alcohol Use and Your Health” which is available here: <http://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

Educational Consequences of Alcohol and Other Drug Abuse(3)

There are numerous educational consequences associated with alcohol and other drug abuse. About 25 percent of college students report academic consequences of their drinking, including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades(4). A post-college study found binge drinking in college to be associated with academic attrition, early departure from college, and lower earnings in post-college employment(5). Additionally, a study found that college students who used marijuana were more likely to put themselves in physical danger when under the influence, experience concentration problems, and miss class (6).

“Substance misuse among college students has frequent and severe negative consequences. These consequences include violent and sometimes fatal effects. Much of the research on the consequences of college student substance misuse focuses on alcohol. A 2009 estimate of annual immediate physical harm as a result of alcohol use among college students aged 18 to 24 included 1,825 deaths, 599,000 unintentional injuries, and 696,000 students assaulted by another student who has been drinking. While most injury and death among college students is unintentional, some students consider taking their own lives and some of them attempt it. Studies show a strong connection between suicidal behavior and substance use in both the college and general populations. Substance use also can damage students’ health. Consequences of excessive drinking include sleep issues and depression. Substance use among college students also often progresses to the level of a disorder. In, 2015 one in seven full-time college students aged 18 to 22 (14.6 percent) met the criteria for past-year had a substance use disorder. Substance use disorders cause significant impairment, such as health problems, disability, and failure to meet major responsibilities at work, school, or home.

Alcohol use also plays a large role in sex-related harm among college students. College students are more likely to engage in unprotected sex when drunk or high and are more likely to engage in sexual activity with someone they just met. In a study of undergraduates, 42 percent reported engaging in unplanned sexual activity in the past year as a result of their alcohol use. Each year, an estimated 97,000 college students are victims of alcohol-related sexual assault that includes rape as well as forced touching or kissing. Sexual assault often is linked to substance use by victims as well as by perpetrators. Students who misuse alcohol or use illicit drugs are also more likely than students who abstain to have difficulty meeting academic responsibilities. Consequences of college substance use include falling behind in studies, getting poor grades, and dropping out. More broadly, the impact of substance misuse on students’ academic performance undermines the very purpose of higher education and the financial sacrifices families make for it. College substance use may bring disciplinary penalties imposed by schools. In addition to non-punitive actions such as substance misuse education, counseling, and treatment, students may be subject to disciplinary action, including suspension and expulsion from the college.

4 These consequences are taken verbatim from

https://www.whitehouse.gov/sites/default/files/ondcp/ondcp_higher_ed_letter.pdf

5 National Institutes of Health, National Institute on Alcohol Abuse and Alcoholism. (2010). A snapshot of annual high-risk college drinking consequences. Retrieved from

<http://www.collegedrinkingprevention.gov/StatsSummaries/snapshot.aspx>.

6 Jennison, K. M. (2004). The short-term effects and unintended long consequences of binge drinking in college: A 10-year follow-up study. *The American Journal of Drug and Alcohol Abuse*, 30(3), 659-684.

7 Sullivan, M., & Risler, E. (2002). Understanding college alcohol abuse and academic performance: Selecting appropriate intervention strategies. *Journal of College Counseling*, 5 (2), 114-124.

Such actions may be based on substance use or on other violations of college standards, such as damaging property and causing or threatening physical harm. Moreover, substance use often has legal consequences. Students may be arrested for alcohol and drug violations, fighting, and damaging property. Finally, substance-using college students often diminish the quality of campus life for other students, many of whom report having study and sleep time interrupted and having personal property damaged and destroyed because of intoxicated students.” (7)

Federal Legal Sanctions

The Federal *Controlled Substance Act* proscribes federal penalties and sanctions for illegal trafficking and possession of a controlled substance. A summary of this information is available online at: https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf and included as Appendix 1 to this policy. A separate summary of penalties and sanctions pertaining to Marijuana, also available online at the aforementioned link, is included as Appendix 2 to this DAAPP.

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

Sentencing Provisions (21 U.S.C. 844(a))

- 1st conviction: Up to 1-year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.
- After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.
- Special sentencing provision for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:
 - 1st conviction and the amount of crack possessed exceed 5 grams.
 - 2nd crack conviction and the amount of crack possessed exceeds 3 grams
 - 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

Forfeitures

- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1-year imprisonment. (See special sentencing provisions re: crack) 21 U.S.C. 853(a)(2) and 881(a)(7).
- Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance. 21 U.S.C. 881(a)(4).

Denial of Federal Benefits

- Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses. 21 U.S.C. 853a.

Miscellaneous

Ineligible to receive or purchase a firearm. Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies. Note: These are only Federal penalties and sanctions.

8 Taken verbatim from <https://store.samhsa.gov/shin/content//SMA17-5052/SMA17-5052.pdf>. Internal citations omitted.

State of Wisconsin Legal Sanctions

Students and employees who violate the standards of conduct outlined in this DAAPP are subject to both institutional sanctions (as outlined in Section V) as well as criminal sanctions provided under local, state and federal law. Pertinent criminal sanctions for unlawful possession, use, or distribution of illicit drugs and alcohol are outlined below.

Students and employees are cautioned that convictions for drug and alcohol violations may prevent individuals from entering many fields of employment and make them ineligible for federal grants and loans. For example, if a student is convicted of a drug-related felony or misdemeanor that took place while the student was receiving Federal student aid, the student will become ineligible to receive further aid for a specified period of time upon conviction.

With respect to students, a federal or state drug conviction can disqualify a student for Federal Student Aid funds. The student self-certifies in applying for aid that they are eligible. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when the student was a juvenile, unless the student was tried as an adult. The chart below illustrates the period of ineligibility for Federal Student Aid funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

Number of Offenses	Possession of Illegal Drugs	Sale of Illegal Drugs
First offense	1 year from date of conviction	2 years from date of conviction
Second offense	2 years from date of conviction	indefinite period
Third (or higher) offense	indefinite period	indefinite period

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

A student regains eligibility the day after the period of ineligibility ends or when they successfully complete a qualified drug rehabilitation program. Further drug convictions will make an individual ineligible again.

Students denied eligibility for an indefinite period can regain it only after successfully completing a rehabilitation program as described below or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to Gateway Technical College that he or she has successfully completed the rehabilitation program.

When a student regains eligibility during the award year, Gateway Technical College may award Pell, and Campus-based aid for the current payment period and Direct loans for the period of enrollment.

Standards for a qualified drug rehabilitation program

A qualified drug rehabilitation program must include at least two unannounced drug tests and must satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program.
- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.

- Be administered or recognized by a federal, state, or local government agency or court.
- Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.

Alcohol

It is a violation of Wisconsin law for any person to procure for, sell, dispense or give away any alcohol beverages to any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age. Furthermore, no adult may knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on property, including any premises, owned and occupied by the adult or occupied by the adult and under the adult's control. Penalties for these offenses range from a fine not greater than \$500 (for a first violation with a mandatory license/permit suspension of up to 3 days, but subsequent violations can result in a fine of up to \$10,000, license/permit suspension of up to 30 days, and/or up to 9 months of imprisonment depending on the frequency of violations and the amount of time between them (Wis. Stat. 125.07).

It is also a violation of law for an underage person to: procure or attempt to procure alcohol beverages from a licensee or permittee; to enter, knowingly attempt to enter, or be on any premises of a licensee/permittee; to falsely represents his or her age for the purpose of receiving alcohol beverages from a licensee or permittee; or to otherwise knowingly possess or consume alcohol beverages. First-time violations of these provisions can include a fine of \$250-\$500, suspension of the person's driver's license/permit, and/or mandated participation in a supervised work program or other community service. Repeated violations may result in fines of up to \$1,000 in addition to suspension of the person's driver's license/permit and/or mandated participation in a supervised work program or other community service (Wis. Stat. 125.07(4)).

Local Sanctions

Alcohol

Burlington

The City of Burlington City Ordinances prohibit possession on any public street, sidewalk, or in any motor vehicle on a public street, sidewalk or alley, any open container of alcohol. Additionally, no person under the age of 21 years shall have any concentration of alcohol in his/her blood while on a public street, sidewalk, alley or a parking lot (whether publically or privately owned) that is open to the public; or on or in any motor vehicle in the same conditions. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Burlington Ordinance 187-1 and 187-3).

Elkhorn

The City of Elkhorn Code of Ordinances prohibit the carrying, exposing to view, any open can, bottle or container containing malt beverage or intoxicating liquor, or drink from the same, on any public walk, street, or in any park or other public place in the city without written permit from Common Council. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Elkhorn Code of Ordinance 9.14).

Kenosha

The City of Kenosha General Ordinances prohibit the serving, selling, giving or consumption of alcoholic beverages upon any public street, sidewalk or within a parked motor vehicle located on any street within the City of Kenosha. In addition, it is considered unlawful for a person to possess or consume alcohol upon any public walk, street, public park, other public place in the City or over which the City has any lease or jurisdiction,

on any parking lot open to and available to the public, or within a parked vehicle located on any street within the City of Kenosha.

It is also unlawful for a person underage as defined in Section 125.02(20m), Wisconsin Statutes, to be under the influence of alcohol in the City of Kenosha, unless under the exceptions of Section 125.07(4)(b), Wisconsin Statutes (Kenosha Code of General Ordinances, 11.026).

Racine

The City of Racine Code of Ordinances prohibits the serving, selling, offering, giving or consumption of fermented malt beverage or intoxicating liquor while upon any public street, sidewalk or within a parked motor vehicle located on any street within the City of Racine. In addition, it is considered unlawful for a person to possess or consume any fermented malt beverage or intoxicating liquor upon any public walk, street or within a parked vehicle located on any street within the city. Furthermore, it shall be unlawful for any person to consume, or to possess an open container containing, any fermented malt beverage or intoxicating liquor while upon the premises of any municipal parking lot or municipal parking facility, except when appropriately licensed (City of Racine Code of Ordinances 6-8).

Additionally, no person may procure for, sell, dispense or give away any alcohol beverage to any underage person not accompanied by his parent, guardian or spouse who has attained the legal drinking age. No underage person, not accompanied by his parent, guardian or spouse who has attained the legal drinking age, shall knowingly possess or consume any alcoholic beverage. Additionally, no adult may intentionally encourage or contribute to an underage person possessing or consuming any alcoholic beverages. Violations of this provision is subject to a forfeiture of not more than \$500.00 if the person has not committed a previous violation within 12 months (City of Racine Code of Ordinances 6-6).

Sturtevant

The Village of Sturtevant Municipal Code prohibits the selling, giving or offer to sell, serve or give to another person any alcohol while upon any public street, alley or sidewalk or within a vehicle parked on any public street. Additionally, no individual may consume alcohol under the conditions as described above.

The Village of Sturtevant also prohibits underage consumption or possession, unless accompanied by their parent, guardian or spouse. The attempt to procure or procure alcohol, falsely represent age for the purpose of receiving alcohol; make, alter or duplicate an official identification card purporting to show attainment of the legal drinking age. Violations of this provision is subject to a forfeiture as set forth in 125.07(4) Wis. Stats. (Village of Sturtevant Municipal Code 9.155).

Pleasant Prairie

The Village of Pleasant Prairie Municipal Code prohibits the carrying or exposing to view any open can, bottle, or other container which contains intoxicating liquor, wine or fermented malt beverage or drink from the same on any public walk or street, in any park or other public place in the Village or over which the Village has any lease or legal jurisdiction, or on any parking lot open to and available to the public, unless such public place shall have issued to it a license for the sale or use of such beverage. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (Village of Pleasant Prairie Municipal Code 1-4).

The Village of Pleasant Prairie also prohibits underage persons from being under the influence of alcohol in the Village of Pleasant Prairie pursuant to any exceptions set forth in 125.07(4)(b) Wis. Stats. A person convicted of

such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (Village of Pleasant Prairie Municipal Code 1-4).

Illicit Drugs

Burlington

The City of Burlington City Ordinances prohibit the carrying, possession or attempt to possess marijuana, THC, or a controlled substance analog, as that term is defined in 961.01(4), Wis. Stats. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Burlington Ordinance 135-1).

Elkhorn

The City of Elkhorn Code of Ordinances prohibit possession of Marijuana as defined in Section 961.01(14), Wis. Stats., in the amount of 25 grams or less. A person convicted of such a violation shall forfeit from \$50.00 to \$500.00 plus the cost of prosecution. Possession of amounts of marijuana exceeding 25 grams and/or subsequent violations for such offenses will continue to be referred to the District Attorney's office for State criminal prosecution (City of Elkhorn Code of Ordinance 9.18).

The City of Elkhorn Code of Ordinances prohibit the possession of THC, in any form, unless specifically excepted by federal regulations. Additionally, no person shall possess synthetic cannabinoids, in any form, unless excepted by federal regulations. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Elkhorn Code of Ordinance 9.17).

Kenosha

The City of Kenosha General Ordinances prohibit the possession and use of small amounts of marijuana (1 ounce or 28 grams or less of marijuana). Further, city ordinances also prohibit any person to use or carry, or for any person, firm, party or corporation to possess marijuana. A person convicted of such a violation shall forfeit from \$10.00 to \$750.00 for each offense, plus the costs of prosecution, and in default thereof shall be committed to the County Jail for a period not to exceed ninety (90) days (Kenosha Code of General Ordinances, 11.146). Possession of amounts of marijuana exceeding 1 ounce or 28 grams and/or subsequent violations for such offenses will continue to be referred to the District Attorney's office for State criminal prosecution.

It is also unlawful to possess, purchase, display for sale, attempt to sell, sell, give back or use any chemical derivative of marijuana, or any other substance, designed to mimic the physical, psychological, intoxicating, narcotic or other effects of marijuana. Penalties for these violations include forfeiture of not less than \$100.00 nor more than \$750.00 for each offense, plus the cost of prosecution, and upon default shall be imprisoned in the county jail or house of correction for a period not to exceed ninety (90) days (Kenosha Code of General Ordinances, 11.147).

Racine

The City of Racine Municipal Codes prohibit the possession of small amounts of marijuana (25 grams or less) unless the substance was obtained in accordance with Wis. Stats. Ch. 961. A person convicted of a violation shall forfeit \$75.00 plus court fees. Possession of amounts of marijuana exceeding 25 grams and/or subsequent violations for such offenses will continue to be referred to the District Attorney's office for State criminal prosecution (Racine Municipal Code 66-261).

The City of Racine Municipal Codes also prohibit the use, possession, purchase or attempt to purchase, sale, public display, and give or barter of any one or more of what is considered a synthetic cannabinoid product. A person convicted of a violation shall forfeit \$300.00 for the possession, public display, attempt to sell, or bartering and \$2,500.00 for the sale of synthetic cannabinoid (Racine Municipal Code 66-262).

Sturtevant

The Village of Sturtevant Municipal Codes prohibit the possession use or keeping of any Marijuana, THC, or synthetic cannabinoid. Penalties for this violation include forfeiture of not less than \$100.00 nor more than \$500.00 and in default of payment shall be imprisoned in the county jail not more than 30 days (Village of Sturtevant Municipal Code 9.12).

Pleasant Prairie

The Village of Pleasant Prairie via their municipal code, adopted the following state statutes in reference to their local drug laws: 961.14(4)(t) to 961.41, 961.573, 961.574, 961.575, and 961.576. The penalty associated with these violations shall be limited to a forfeiture imposed under Chapter 1 of the Municipal Code (Village of Pleasant Prairie Municipal Code 250-1).

Warning Signs

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

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

How You Can Help

First, learn more about alcohol and other drug abuse. Libraries, alcohol and other drug information agencies and treatment centers are good places to get more information. Next, find out where your friend can get help on campus or in your community. Having this information available if and when your friend needs it will pay off; most people who seek help for alcohol or drug problems get better.

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

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

Alcohol and Other Drug Programs and Resources

If a student has a drug or alcohol problem, GTC highly recommends that they seek assistance from the Student Support Counselors. The private and confidential counseling for students is free of charge at the Elkhorn, Kenosha, and Racine Campuses. GTC Student Support Counselors have Master's Degrees in Counseling, are Licensed Professional Counselors by the State of Wisconsin, and are members of the American Counseling Association and the American College Counseling Association.

Generally, students are seen on an appointment basis. Walk-in hours are also offered weekly on each campus. To schedule an appointment, contact Student Services at 1-800-247-7122.

Short term counseling is available, with referrals to community partners for long term needs

Employees can access additional confidential Alcohol and Other Drug Abuse (AODA) services and referrals through the college's Employee Assistance Program (EAP). This can include free or reduced cost counseling sessions. The EAP provider can be reached by contacting 1-800-540-3758 or by emailing eap@ascension.org.

Students and employees are encouraged to access the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Locator, a confidential and anonymous source of information for persons seeking treatment facilities in the United States or U.S. Territories for substance abuse/addiction and/or mental health problems. To access this resource, visit <https://findtreatment.samhsa.gov/locator/home>.

Students and employees seeking information regarding Self-Help, Peer Support, and Consumer Groups related to addiction (such as Alcoholics Anonymous, Narcotics Anonymous, Marijuana Anonymous, and others) are encouraged to visit <https://findtreatment.samhsa.gov/locator/link-focSelfGP>.

In addition to these resources, students and employees are advised of the availability of the following alcohol and other drug resources in the community.

Kenosha County	<p>National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP</p> <p>Interconnections SC 920 60th Street Kenosha, WI 53140 Main Tel: 262-654-5333</p> <p>Birds of a Feather Inc 6530 Sheridan Road Suite 2 Kenosha, WI 53143 Main Tel: 262-605-8442 Intake Tel 2: 262-605-1444</p> <p>Psychiatric and Psychotherapy Clinic 3601 30th Avenue</p>
----------------	---

	<p>Suite 102 Kenosha, WI 53144 Main Tel: 262-654-0487</p> <p>Oakwood Clinical Associates Ltd 4109 67th Street Kenosha, WI 53142 Main Tel: 262-652-9830</p> <p>Kenosha County Department of Human Services, Mental Health and Substance Abuse Counseling 262-657-7188</p>
Racine County	<p>National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP</p> <p>Ascension All Saints Mental Health and Addiction Care 1320 Wisconsin Avenue Racine, WI 53403 Main Tel: 262-687-2380 Intake Tel 1: 262-687-2273</p> <p>Genesis Behavioral Services Inc Spring Place 1725 Spring Place Racine, WI 53404 Main Tel: 414-909-8757 Intake Tel 1: 414-892-4961</p> <p>Center for Addiction Recovery 3805-B Spring Street Suite LL-20 Racine, WI 53405 Main Tel: 262-687-2222</p> <p>Lakeside Family Therapy Services 4810 Northwestern Avenue Racine, WI 53406 Main Tel: 262-637-9984</p> <p>Racine Comp Treatment Center 5735 Durand Avenue Suite A Racine, WI 53406 Main Tel: 888-978-1329 Intake Tel 1: 877-329-8957</p>

	<p>Agape Recovery Center 201 North Pine Street Burlington, WI 53105 Main Tel: 262-767-0441</p> <p>Racine County Human Services, Behavioral and AODA services 262-638-6741</p>
Walworth County	<p>National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP</p> <p>Walworth Dept. of Health and Human Services AODA assessment, counseling, and detoxification. Main Tel: 262-741-3200</p> <p><u>Walworth County Alcoholics Anonymous meetings</u> District 6 Main Tel: 262-723-1224</p> <p>Credence Counseling Therapy Assoc 1 1/2 West Geneva Street Elkhorn, WI 53121 Main Tel: 262-723-3424</p>

Employee Policy and Support

The Drug Free Workplace Act of 1988 and Wisconsin State Statute, Chapter 161 Uniform Controlled Substances Act, requires Gateway Technical College to make a good faith effort to maintain a drug-free workplace environment. As an employer receiving more than \$25,000 in federal government funding, the District recognizes that violations to these state and federal statutes will have an impact on the proper functioning of the district. This policy applies to controlled substances, including alcohol.

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited.
2. Reporting to work under the influence of a controlled substance, including alcohol is prohibited.
3. All employees working directly under a federal grant or contract agree, as a condition of employment, to maintain a drug free environment.
4. As a condition of employment, all employees shall notify their supervisor of any criminal drug statute conviction for a violation occurring in the workplace within five (5) days.
5. All regular employees shall be provided a copy of this policy as included in the employee handbook.
6. All regular employees shall sign an acknowledgment and pledge to maintain a drug-free environment upon receiving an employee handbook.

7. The dispensing, sale, and use of alcoholic beverages at activities on or within District property is allowed subject to the approval of the president or designee.

PROCEDURES

The Gateway district may provide a drug awareness program for students and employees that will inform, educate and provide referral assistance to a community drug abuse service. The drug awareness program may be conducted in cooperation with the county alcohol and drug abuse programs established under Section 51.42 of the Wisconsin Statutes.

1. Any employee reporting to work under the influence of a controlled substance, including alcohol will not be permitted to begin work. Employees who test positively will be subject to the provisions of the progressive counseling policy, up to and including separation.
2. Upon being advised of an employee conviction for drug activity at the workplace, the supervisor will immediately notify the Human Resources department who must notify any relevant funding agency within ten (10) days from the date the employee notified their supervisor.
3. Within thirty (30) days of receiving notice of a conviction for drug activity within the workplace, Gateway shall: a) take appropriate personnel action against the employee, up to and including separation, or b) require the employee to participate in an approved drug abuse assistance or rehabilitation program and, c) require the employee, upon their return from any drug abuse program, to remain drug free.
4. An Employee Assistance Program (EAP) is available to all eligible employees.

DISCIPLINARY SANCTIONS

Gateway Technical College will impose sanctions on students and employees for violations of the standards of conduct included in Section I (consistent with local, state, and federal law). As noted below, such sanctions may include, but are not limited to, expulsion (for students), termination of employment (for employees), and referral for prosecution.

Employee Sanctions

Sanctions that may be imposed for violations of this DAAPP are informed by the College's Progressive Discipline policy, as described in the Administrative Procedures & College Practices Manual (Progressive Discipline I-210) and in the Employee Handbook (4.30).

The progressive discipline procedure is designed to identify and correct problems that may affect work performance. This process provides a supervisor and employee with an opportunity to talk about specific problems, to determine when and how these problems can be resolved and to set goals and follow-up dates.

The Progressive Discipline process includes the following actions:

Verbal Counseling (Step One)

The first step of Progressive Discipline is Verbal Counseling. The verbal counseling is a discussion between a supervisor and an employee usually to review a first offense of a minor nature.

The supervisor will review the violation with the employee and develop a performance improvement plan. The employee may be given a specific time within which the improvement must be made and will be informed as to what further action will be taken if continued violation(s) occurs.

For union employees, a union representative may be present at the option of the employee. If a union representative is present, a Human Resources representative will also be present at this step.

Verbal Counseling will be documented using the Record of Discipline form and will be forwarded to Human Resources for review, and then placed in the employee's personnel file.

Employee will be provided the opportunity to respond in writing on the Record of Discipline form.

Written Counseling (Step Two)

The second step of Progressive Discipline is Written Counseling. Written counseling may be issued for repeated violations or misconduct of a more serious nature. Union, where applicable, and Human Resources representatives will be present at this step.

The employee will be informed of the specific violations(s). The supervisor shall explain other disciplinary measures which may be taken if violation(s) continued.

The supervisor will complete a Record of Counseling which clearly describes the misconduct, and the steps necessary for improvement. The written counseling may establish a specific time within which improvement must be made.

The employee will be provided with an opportunity to respond in writing on the Record of Counseling. The Record of Counseling will become a part of the employee's personnel file.

Disciplinary Suspension or Final Written Warning (Step Three)

Depending on the nature and seriousness of the violation, a disciplinary suspension or final written warning may be issued.

All suspensions and/or final written warnings must be reviewed and approved by the vice president of Human Resources.

Recommendation(s) should also be documented on a Record of Counseling form and placed in the employee's personnel file.

Termination (Step Four)

After the previous steps have been taken, or as previously stated in cases of more serious misconduct, an employee may be terminated.

The discharge of employees for repeated minor violations will normally be preceded by the previous steps. However, serious violations of policy and/or procedures may lead to skipping the previous steps and may warrant immediate termination.

All terminations must be reviewed and approved by the vice president of Human Resources.

Employees who violate established policies, rules, and regulations, fail to perform their jobs according to accepted standards, or who otherwise conduct themselves in a manner which is detrimental to the college, the college's students, clients, or to other employees, are subject to disciplinary action up to and including termination.

Depending on the situation, any step may be repeated, omitted, or taken out of sequence. The college reserves the right to effect immediate termination should the situation be warranted. Each case is considered on an individual, fair, and consistent basis.

For additional information on Progressive Discipline, refer to:

Administrative Procedures and College Practices Manual

I-110, Employee Code of Conduct

I-210, Progressive Discipline

Employee Handbook

4.18, Fair Treatment

Student Sanctions

Sanctions that may be imposed for violations of this DAAPP are informed by the College's Student Conduct policy (J-300). These sanctions are not meant to be progressive in nature. A student may be issued one or more of these sanctions in response to an incident. The college will determine level of sanction based on the severity of the incident or series of incidents.

Non-Academic Sanctions:

The following sanctions may be imposed to students who fail to comply with the Student Code of Conduct, which includes prohibitions against use, under the influence of, possession, sale or distribution of narcotic or illegal drugs...alcoholic beverages, etc. on Gateway owned or leased property, or at Gateway sponsored activities."

Warning: Issued to a student who has committed a minor violation of this policy and doesn't pose a continued concern for the college.

Disciplinary Probation: Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.

Suspension: Issued to a student, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.

Dismissal: Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.

Restriction: Issued to a student who has committed a violation of this policy, and the resolution is a limitation on the student's access to identified services, locations, education, community activities or persons. Issued for a specified time frame.

Restitution: Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.

Referral: Issued to a student who has committed a violation of this policy and it's determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued attendance in the college.

Loss of Privileges: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access to identified service, location, or educational community activities.

No Contact: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access/contact with an identified individual(s) or groups of students and/or staff.

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.

Student Code of Conduct

POLICY

1. The Gateway District recognizes that in order to operate a meaningful educational program and a safe environment for students and staff, this Code of Conduct will be followed.
2. The Gateway District believes every student has the right to pursue an education free from disruption, harassment, illegal activities, threats, or danger. The District further believes that academic honesty and integrity are fundamental to the educational mission of this College. Every student is expected to comply with the standards set and to be familiar with all the rules, regulations, and policies of Gateway Technical College.
3. On a daily basis, any student or group of students may be denied access to the classroom upon the instructor's determination that their behavior impedes student learning, the health and safety of peers, self, or the staff. The instructor will notify the student(s) of their denied access. The dean of campus affairs will also be notified by the end of the working day.

PROCEDURE

Standards

1. Students are expected to comply with all institutional, federal, state, county, and municipal policies, statutes and ordinances.
2. At all times, students are expected to conduct themselves in such a manner as not to interfere with the educational process at Gateway Technical College.
3. Students will conduct themselves in such a manner as not to endanger the safety or welfare of their fellow students.
4. Students must comply with the following and may be subject to discipline, including suspension or dismissal, for the following offenses:
 - a. Obstruction or disruption of the normal operations of the College or activities authorized by the College.
 - b. Physical or verbal abuse, harassment, or detention of any person(s) on school property or at school activities when such endangers the health, safety, or rights of such persons.
 - c. Theft or damage to property of the College or property of any visitor or member of the Gateway Technical College community.
 - d. Unauthorized entry to or use of Gateway Technical College property or facilities.
 - e. Dishonesty, which includes but is not limited to, knowingly furnishing false information to the College, plagiarism, or any form of cheating.
 - f. Use, under the influence of, possession, sale or distribution of narcotic or illegal drugs, firearms, explosives, dangerous chemicals, alcoholic beverages, etc. on Gateway owned or leased property, or at Gateway sponsored activities.

- g. Possession of a dangerous weapon on school premises or at school-related events.

DISCIPLINE

The following procedures have been developed to deal with a student who has failed to comply with this policy.

- Step 1** Upon receipt of an alleged violation, the appropriate dean of campus affairs will be assigned to investigate the charges. The dean of campus affairs may temporarily suspend a student pending an investigation when the student's continued presence might cause continued academic disruption or endanger the student or others.
- Step 2** If the investigation determines that the college has reasonable cause to believe that a student has pursued a course of conduct which is contrary to Gateway policy and requires sanction(s), the dean of campus affairs may take appropriate action. Within two (2) days from the action, the student shall be given notice in writing, by certified mail or personal delivery, the results of the investigation and the sanctions applied. The notice will also provide the information necessary for the student to appeal the sanctions if he/she wishes.
- Step 3** If the student appeals the sanctions, he/she must notify the executive vice president/provost in writing within three (3) working days of receipt of the letter. The student will be notified in writing, by certified mail or personal delivery, of the time and place of the hearing before a disciplinary committee composed of the executive vice president/provost or designee, a staff member, and a student. Said hearing shall be held no less than two (2) working days nor more than seven (7) calendar days from the date the student receives the above notice of hearing. The student shall be provided the name(s) of the witness(es) testifying against him/her and a copy of the initial investigation results that was conducted by the dean of campus affairs.
- Step 4** At any hearing before the disciplinary committee, the student shall have the right to present testimony on his/her own behalf, call witnesses, and be represented by legal counsel of his/her choosing.
- Step 5** The committee shall issue a dated, written order (to the student) informing the student of the decision. The order may be personally delivered or sent certified mail.

NON-ACADEMIC SANCTIONS

The following sanctions may be imposed to students who fail to comply with this policy.

- 1. Warning: Issued to a student who has committed a minor violation of this policy and doesn't pose a continued concern for the college.
- 2. Disciplinary Probation: Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
- 3. Suspension: Issued to a student, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.
- 4. Dismissal: Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.
- 5. Restriction: Issued to a student who has committed a violation of this policy and the resolution is a limitation on the student's access to identified services, locations, education, community activities or persons and issued for a specified time frame.
- 6. Restitution: Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.
- 7. Referral: Issued to a student who has committed a violation of this policy and it's determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued attendance in the college.
- 8. Loss of Privileges: Issued to a student who has committed a violation of this policy and it is determined that

the student may continue attendance in the college with permanent limitations on the student's access to identified service, location, or educational community activities.

9. **No Contact:** Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access/contact with an identified individual(s) or groups of student and/or staff.

These sanctions are not meant to be progressive in nature. A student may be issued one or more of these sanctions in response to an incident. The college will determine level of sanction based on the severity of the incident or series of incidents.

Gateway Technical College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, Gateway Technical College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official.

H-110: Equal Opportunity, Civil Rights, and Sexual Misconduct

1. Applicable Scope

Gateway Technical College (Gateway or the College) affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. All policies below are subject to resolution using the College's Equity Resolution Process (ERP), as described in policy H-120. When the responding party (the person who is alleged to have violated this policy) is a member of the College community, such as a student or employee, the ERP is applicable regardless of the status of the reporting party (the person(s) making the allegations) who may be a member or non-member of the campus community, such as a student, student organization, employee, guest, visitor, etc.

2. Office for Equal Opportunity and Civil Rights

The Office for Equal Opportunity and Civil Rights is comprised of the Senior Vice President of Operations who serves as the Title IX Officer and the Director of Compliance who serves as the Title IX & ADA Coordinator. The Title IX Officer's primary role is to provide review and final approval of investigation reports and serve as the hearing officer for all hearings under this policy. The Director of Compliance is primarily responsible for managing the day-to-day operations of the Office and addressing discrimination complaints (i.e. investigation and resolution), assuring compliance with applicable civil rights and employment laws, and prevention training and education. In the event the Title IX Coordinator conducts the investigation, the Title IX Officer serves as the Title IX Coordinator.

The Title IX Officer and Title IX Coordinator act with independence and authority free of conflicts of interest and bias that impacts the investigation or adjudication. To raise any concern involving a conflict of interest or bias by the Title IX Officer or Title IX Coordinator, contact the President of the college, Bryan Albrecht, at albrechtb@gtc.edu or To raise a concern involving a conflict of interest or bias about an investigator, contact the Title IX Coordinator. To raise concerns regarding a potential conflict of interest with any other administrator involved in the ERP, please contact the Office for Equal Opportunity and Civil Rights.

Inquiries about and reports regarding this policy and procedure may be made to:

Joshua Vollendorf

Director of Compliance

Title IX & ADA Coordinator/Affirmative Action Officer

3520 30th Avenue

Kenosha, WI 53144

262-564-3062

vollendorfj@gtc.edu

Involvement of Law Enforcement and Campus Authorities

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement (including Department of Safety and Security and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the College's Office for Equal Opportunity and Civil Rights and/or Student Support Counselors) will assist any victim with notifying law enforcement if the victim so desires.

Kenosha Police Department by calling 262-656-1234; in person at 1000 55th St, Kenosha, WI;

Racine Police Department by calling 262-886-2300; in person at 730 Center St., Racine, WI;

Racine County Sheriff's Department by calling 262-886-2300; in person at 730 Center St., Racine, WI;

Elkhorn Police Department by calling 262-723-2210 in person at 717 Wisconsin Ave, Racine, WI;

Burlington Police Department by calling 262-342-1100; in person at 224 E Jefferson St, Burlington, WI;

Sturtevant Police Department by calling 262-886-2300 in person at 2801 89th St, Sturtevant, WI;

Pleasant Prairie Police Department by calling 262-694-7353; in person at 8600 Green Bay Rd, Pleasant Prairie, WI.

3. Reporting Discrimination, Harassment, Sexual Misconduct and Retaliation

Anyone who believes that the policy on Equal Opportunity, Civil Rights, and Sexual Misconduct has been violated should file a report or contact the Title IX Coordinator. Reports of discrimination, harassment and/or retaliation may be made using any of the following options.

- Report online, using the Incident (Maxient) reporting form located at <https://www.gtc.edu/TitleIX> and <https://www.gtc.edu/eeo>
- Report directly to the Office for Equal Opportunity and Civil Rights
- File an incident report with a Campus Security Officer (Racine/iMET: 262-619-6208; Kenosha/Horizon/Lakeview: 262-564-2208; Elkhorn/Burlington: 262-741-8208)

Reports of misconduct, discrimination, harassment or retaliation committed by the Title IX and Hearing Officer or Title Coordinator should be reported to the Senior Vice President of Operations, Bill Whyte, at 262-564-3228 or whyte@gtc.edu.

Inquiries may be made externally to:

Employee complaints regarding employment discrimination:

Wisconsin Department of Workforce Development
Equal Rights Division PO Box 7997
Madison, WI 53707-7997
AND/OR

Equal Employment Opportunity Commission (EEOC)
Reuss Federal Plaza
310 West Wisconsin Avenue, Suite 500
Milwaukee, WI 53203-2292
Phone: 1-800-669-4000
Fax: 414-297-4133
TTY: 1-800-669-6820
ASL Video Phone: 844-234-5122

Student and/or employee or third party complaints regarding discrimination:

U.S. Department of Education Office for Civil Rights
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661-4544
Telephone: (312) 730-1560
Facsimile: (312) 730-1576
Email: OCR.Chicago@ed.gov

While there is no time limitation on the filing of allegations, all individuals are encouraged to promptly report discrimination, harassment, sexual misconduct and/or retaliation. If a significant amount of time has passed and/or the responding party is no longer subject to the College's jurisdiction (for example, the reporting party leaves the college), the ability to investigate, respond and provide remedies may be more limited.

All College employees have a duty to report allegations of discrimination, harassment, sexual misconduct, and/or retaliation, unless exempted from doing so under the "Confidential Reporting" section below (see Section 19). All employees receiving reports of a potential violation of this policy shall promptly file an Incident Report within 48 hours of becoming aware of a report or incident. Failure of a non-confidential employee to report an incident or incidents of discrimination, harassment, sexual misconduct or retaliation of which they become aware is a violation of College policy and can be subject to disciplinary action for failure to comply. Confidentiality and mandated reporting is addressed more specifically later in this policy.

All initial contacts will be treated with privacy: specific information on any allegations received by any party will be reported to the Title IX Coordinator, but, subject to the College's obligation to redress violations, every effort will be made to maintain the privacy of those initiating an allegation. In all cases, Gateway will give consideration to the reporting party with respect to how the reported misconduct is pursued, but reserves the right, when necessary to protect the community, to investigate and pursue a resolution even when a reporting party chooses not to initiate or participate in the resolution process. Reporting parties may want to consider carefully whether they share personally identifiable details with non-confidential employees, as those details must be shared with the Title IX Coordinator. Employees must promptly share all details of the reports they receive. Generally, climate surveys, classroom writing

assignments or discussions, human subjects research, or events such as Take Back the Night marches or speak-outs do not provide notice that must be reported to the Title IX Coordinator by employees, unless the reporting party clearly indicates that they wish a report to be made. Remedial actions may result from such disclosures without formal College action.

If a reporting party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the reporting party may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. Note that the College's ability to remedy and respond to a reported incident may be limited if the reporting party does not want the institution to proceed with an investigation and/or the Equity Resolution Process.

In cases indicating pattern, predation, threat, weapons and/or violence, the College will likely be unable to honor a request for confidentiality. In cases where the reporting party requests confidentiality and the circumstances allow the College to honor that request, the College will offer interim supports and remedies to the reporting party and the community, but will not otherwise pursue formal action. A reporting party has the right, and can expect, to have allegations taken seriously by Gateway when formally reported, and to have those incidents investigated and properly resolved through these procedures.

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told, including but not limited to Campus Safety and Security, Human Resources, Campus Dean, and the CARE Team. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy. Additionally, anonymous reports can be made by victims and/or third parties using the online Maxient reporting form posted at www.gtc.edu/TitleIX, or by contacting the Title IX Coordinator. Note that these anonymous reports may prompt a need for the institution to investigate.

All reports are acted upon promptly while every effort is made by the College to preserve the privacy of reports. Regardless of whether the reporting party has opted-out of allowing the College to share "directory information," personally identifiable information about the reporting party and witnesses will be treated as private, and shared with those on a "need to know" basis. In cases where a formal complaint is filed and the reporting party wishes to proceed with a resolution, the reporting party will be provided with the name of the reporting party, the nature of the allegations, and the names of witnesses provided. Likewise, the responding party's list of witnesses will be shared with the reporting party.

4. Jurisdiction

This policy applies to behaviors that take place on the campus, at College- sponsored events (whether on- or off-campus) and may also apply to off-campus and online conduct when the Title IX Coordinator determines that the conduct affects a substantial College interest. A substantial College interest is defined to include:

- a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state or federal law;
- b. Any situation where it appears that the responding party may present a danger or threat to the health or safety of self or others;

- c. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- d. Any situation that is detrimental to the educational interests of the College as determined by the Title IX Coordinator.

Any online postings or other electronic communication by students, including but not limited to cyber-bullying, cyber-stalking, or cyber-harassment, occurring completely outside of the College's control (e.g. not on College networks, websites or between College email accounts) will only be subject to this policy when those online behaviors can be shown to cause a substantial educational disruption. Otherwise, such communications are considered speech protected by the First Amendment. Remedies for such conduct will be provided, but protected speech cannot be legally subjected to discipline.

Off-campus discriminatory or harassing speech by employees may be regulated by the College only when such speech is made in an employee's official or work-related capacity or is directed at a student or employee of the College and has the propensity to create a hostile environment in the educational or work activities of the college.

5. Gateway's Policy on Nondiscrimination

Gateway adheres to all federal and state civil rights laws prohibiting discrimination in employment and in public institutions of higher education.

To provide equal employment, advancement, and learning opportunities to all individuals, employment and student admission decisions at Gateway will be based on merit, qualifications, and abilities. Gateway will not discriminate against any employee, applicant for employment, student or applicant for admission on the basis of race, color, national origin, ancestry, sex, sexual orientation, creed, religion, political affiliation, marital status, parental status, pregnancy, disability, age, membership in any reserve component of the armed forces, union affiliation, or any other protected category under applicable local, state or federal law, including protections for those opposing discrimination or participating in any resolution process on campus or within the Equal Employment Opportunity Commission or other human rights agencies.

This policy covers nondiscrimination in employment and in access to educational opportunities. Therefore, any member of the campus community who acts to deny, deprive or limit the educational or employment access, benefits and/or opportunities of any member of the campus community, guest or visitor on the basis of their actual or perceived membership in the protected classes listed above is in violation of Gateway's policy on nondiscrimination. When brought to the attention of the College, any such discrimination will be appropriately addressed and remedied by the College according to the Equity Resolution Process. Non-members of the campus community who engage in discriminatory actions within Gateway's programs or on College property are not under the jurisdiction of this policy, but can be subject to actions that limit their access and/or involvement with the College. All vendors serving the College through third-party contracts are subject by those contracts to Gateway policies and procedures, in addition to any in place through their employment.

6. College Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to a working environment and educational environment free of discriminatory harassment. Gateway's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include relevant, but

controversial or sensitive subject matters protected by academic freedom. The sections below describe the specific forms of legally prohibited harassment that are also prohibited under College policy.

7. Discriminatory and Bias-Related Harassment

Harassment constituting a form of discrimination is prohibited by Gateway policy as well as the law. Gateway condemns and will not tolerate discriminatory harassment against any employee, student, visitor or guest on the basis of any status protected by policy or law. Gateway will remedy all forms of harassment, including by imposing sanctions on the harasser through application of the Equity Resolution Process. Gateway's harassment policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community, when that conduct creates a hostile environment, as defined below.

A hostile environment is created by harassing verbal, written, graphic, or physical conduct that is so severe or persistent/pervasive, and objectively offensive such that it interferes with, limits or denies the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits or opportunities.

Any employee, student, visitor, or guest who is affected by unwelcome harassing conduct is encouraged to make a report so that the College can offer assistance and resources. Where conduct does not rise to the level of creating a hostile environment, the College may invite persons alleged to be responsible to meet and discuss remedial actions, education, and/or effective conflict resolution mechanisms.

Participation in such actions is voluntary. For assistance with conflict resolution techniques, employees should contact the Human Resources Department.

8. College Policy on Affirmative Action

Gateway is committed to affirmative action for women, minorities, veterans, and disabled individuals in employment and academic advancement. The college completes a comprehensive affirmative action plan every year and uses this data to guide placement goals relating to these groups. Placement goals, when indicated, are neither rigid nor inflexible goals that set a ceiling or floor for employment of particular groups. Goals do not create set-asides for employment groups nor are they intended to achieve proportional representation or equal results. They do not supersede objective criteria and merit selection principles. All employment decisions are made in a nondiscriminatory manner and placement goals are not used to extend a preference to any individual or adversely affect an individual employment status on the basis of race, sex, religion, etc. In addition, the college conducts an adverse impact analysis to identify possible barriers to employment for all groups to ensure equal employment opportunity. Gateway's affirmative action officer will share relevant information relating to the affirmative action plan with human resource leaders and other members of the college and the public through various methods. Select information regarding the affirmative action plan will be published on the college's website at gtc.edu/eo.

9. Gateway's Policy on Accommodation of Disabilities

Gateway is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other applicable federal and state laws pertaining to individuals with disabilities. Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity. The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the institution

whether qualified or not. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking or caring for oneself.

The Director of Compliance has been designated as the ADA/504 Coordinator responsible for coordinating efforts to comply with these disability laws, including investigation of any allegation of noncompliance. Employees, students, and others may file a grievance using the reporting methods described in this policy.

10. Students with Disabilities

Gateway is committed to providing qualified students with disabilities with reasonable accommodation(s) and support needed to ensure equal access to the academic programs and activities of the College. All accommodations are made on a case-by-case basis. A student requesting an accommodation should first contact Disability Support Services (DSS) (<https://www.gtc.edu/disability-support-services>) who coordinates services for students with disabilities. The Disability Services Specialist reviews documentation provided by the student and, in consultation with the student and other College faculty and staff (as necessary and appropriate), determines which reasonable accommodations are appropriate to the student's particular needs and academic programs.

11. Employees with Disabilities

Pursuant to the ADA, Gateway will provide reasonable accommodation(s) to all qualified employees with known disabilities, where their disability affects the performance of their essential job functions, except where doing so would be unduly disruptive or would result in undue hardship.

An employee with a disability is responsible for requesting an accommodation in writing using the Accommodation Request Form found on the Compliance intranet page and submitting the completed form, along with appropriate documentation, to the Office for Equal Opportunity and Civil Rights. While ADA requests are managed with a high level of confidence, the Director of Compliance may, in certain circumstances, work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and to implement the specific accommodation. In these situations, only information about the accommodation, and not the medical condition being accommodated, will be shared with the supervisor. In addition, the Director of Compliance may work with the employee and their supervisor to determine the appropriate accommodation.

12. Expectations with respect to consensual relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty and student, supervisor and employee). The relationship may be less consensual than the person who has greater power perceives. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of this policy. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student) are generally discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or

evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor. Under such circumstances, the College will likely remove the employee from the supervisory or evaluative responsibilities, or shift a party out of being supervised or evaluated by someone with whom they have established a consensual romantic or sexual relationship. While no relationships are prohibited by this policy, failure to timely self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

13. Training and prevention programming

Gateway provides all students and employees with the opportunity to complete training that focuses on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, stalking, and other forms of discrimination. Primary programming is provided to incoming and existing employees through the Title IX for Employees workshop and for incoming and existing students online through the Know Your (Title IX) Rights training. In addition, ongoing programming is provided to employees and students through such campaigns and events, including but not limited to, tabling events, presentations to students and employees, awareness campaigns (i.e. sexual assault awareness month and domestic violence awareness month), and bystander intervention training.

14. Sexual Misconduct

State law defines various violent and/or non-consensual sexual acts, stalking, and dating and domestic violence as crimes, and as such prohibits such acts. While some of these acts may have parallels in criminal law, Gateway has defined categories of sex/gender discrimination as sexual misconduct, as stated below, for which action under this policy may be imposed. Generally speaking, Gateway considers Non-Consensual Sexual Intercourse violations to be the most serious of these offenses, and therefore typically imposes the most severe sanctions, including suspension or expulsion for students and termination for employees. However, Gateway reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any act of sexual misconduct or other sex/gender-based offenses, including intimate partner (dating and/or domestic) violence, non-consensual sexual contact and/or stalking based on the facts and circumstances of the particular allegation. Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, sexual orientation and/or gender identity of those involved. Violations include:

Sexual Harassment

Sexual harassment is a form of sex discrimination and, therefore, is an unlawful discriminatory practice. Gateway has adopted the following definition of sexual harassment, in order to address the special environment of an academic community, which consists not only of employer and employees, but of students as well.

Sexual harassment is:

- a. unwelcome,
- b. sexual, sex-based and/or gender-based,
- c. verbal, written, online and/or physical conduct,
- d. that constitutes quid pro quo or hostile environment harassment, as defined below.

Anyone experiencing sexual harassment in any College program is encouraged to report it immediately to the Title IX Coordinator. Remedies, education and/or training will be provided in response.

Sexual harassment may result in disciplinary action when it takes the form of *quid pro quo* harassment, creates a hostile environment, and/or constitutes retaliation.

Quid Pro Quo Sexual Harassment:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a person having power or authority over another constitutes sexual harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of employment or access to educational opportunities.

Some examples of possible sexual harassment include the following, when a part of a pattern of conduct that meets the standard for quid pro quo or hostile environment harassment.

- a. An instructor insists that a student have sex with him/her in exchange for a good grade.
- b. A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus.
- c. An employee displays explicit sexual pictures in his/her office or other public location.
- d. An instructor engages students in her class in discussions about their past sexual experiences, although the conversation is not in any way relevant to the subject matter of the class and the students are clearly uncomfortable and hesitant.

A hostile environment is created when sexual harassment is:

- a. Severe or pervasive, and
- b. Objectively offensive,
- c. Such that it unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the College's educational, employment, or social programming.

A single isolated incident may create a hostile environment if the incident is sufficiently severe, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression is typically not sufficient to constitute a hostile environment. It is also important to note that the College need not determine a hostile environment was created to call behavior harassment, to initiate an investigation, or to resolve the complaint. The creation of a hostile environment triggers a duty to respond, but a single act of conduct that is harassing is taken seriously and is sufficient to trigger a response from the College.

Non-Consensual Sexual Intercourse

Non-consensual sexual intercourse is defined as:

- a. any sexual intercourse
- b. however slight
- c. with any body part or object
- d. by a person upon another person

- e. that is without consent and/or by force

Sexual intercourse includes vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation (mouth to genital contact) no matter how slight the penetration or contact. Some examples of behavior that would constitute non-consensual sexual intercourse include:

- a. Engaging in sexual intercourse with an unconscious person
- b. Engaging in sexual intercourse with someone who said “no”
- c. “Fingering” another person without his or her consent

Non-Consensual Sexual Contact

Non-consensual sexual contact is defined as:

- a. any intentional sexual touching
- b. however slight
- c. with any body part or object
- d. by a person upon another person
- e. that is without consent and/or by force
 - Sexual touching includes intentional contact with the breasts, groin, genitals, or mouth; touching another with any of these body parts; making another touch you or themselves with or on any of these body parts; or any other bodily contact in a sexual manner.

Examples of non-consensual sexual contact include:

- a. Touching a woman’s breasts without consent
- b. Slapping someone’s buttocks without consent
- c. Intentionally rubbing up against another person’s genitals without consent

Sexual Exploitation

Sexual Exploitation refers to a situation in which a person takes non- consensual or abusive sexual advantage of another, and that behavior does not otherwise fall within the definitions of Sexual Harassment, Non- Consensual Sexual Intercourse or Non-Consensual Sexual Contact.

Examples of Sexual Exploitation include, but are not limited to:

- a. Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed)
- b. Invasion of sexual privacy
- c. Prostitution
- d. Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV), a sexually transmitted disease (STD) or infection (STI) without informing the other person of the infection
- e. Administering alcohol or drugs (such as “date rape” drugs) to another person without his

or her knowledge or consent

- f. Exposing one's genitals in non-consensual circumstances
- g. Sexually-based stalking and/or bullying

Intimate Partner Violence

Intimate partner violence is defined as violence or abuse between those in a current or previous intimate (sexual, dating, spousal, domestic) relationship. Intimate partner violence includes dating and domestic violence.

- h. "Dating Violence" is physical acts of assault or threats of assault, detainment, or unwanted touching committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person subjected to such violence. Whether there was such a relationship will be determined based on, among other factors, the reporting and responding party's statements, and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the parties involved in the relationship.
- i. "Domestic Violence" is physical acts of assault or threats of assault, detainment, or unwanted touching committed by: (1) a current or former spouse or intimate partner of the victim; (2) a person with whom the victim shares a child in common; (3) a person who is cohabiting with, or has cohabitated with, the victim as a spouse or intimate partner; (4) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Wisconsin; or (5) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws in the State of Wisconsin.

Examples of intimate partner violence include:

- i. A boyfriend shoves his girlfriend into a wall upon seeing her talking to a male friend.
- ii. An ex-girlfriend shames her female partner by threatening to out her as a lesbian if she doesn't give the ex another chance.

Stalking

Stalking may take one of two forms:

- j. First, stalking includes (Stalking 1):
 - i. A course of conduct
 - ii. Directed at a specific person
 - iii. On the basis of actual or perceived membership in a protected class
 - iv. That is unwelcome, and
 - v. Would cause a reasonable person to feel fear or substantial emotional distress
- k. Second, stalking includes (Stalking 2):
 - i. Repetitive and menacing
 - ii. Pursuit, following, harassing and/or interfering with the safety of another

Examples of stalking include:

- a. A student repeatedly shows up at another student's classroom at the end of class after being told to leave them alone. (Stalking 1).
- b. An employee continues to pursue a colleague who declined an invitation for a date. The employee then posts personal and private information about the person online, inviting others to their home without their knowledge (Stalking 2).

15. Legal Definitions

Domestic violence is defined under Wisconsin statute 968.075 (1)(a) as 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:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s. 940.225 (1), (2) or (3) [sexual assault statute]
4. A physical act that may cause the other person reasonably to fear imminent engagement in the conduct described under subd. 1., 2. or 3.

Wisconsin does not have a separate legal definition of dating violence.

Wisconsin statute 940.32(1)(1) defines stalking as a course of conduct, which is a series of two or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:

1. Maintaining a visual or physical proximity to the victim.
2. Approaching or confronting the victim.
3. Appearing at the victim's workplace or contacting the victim's employer or coworkers.
4. Appearing at the victim's home or contacting the victim's neighbors.
5. Entering property owned, leased, or occupied by the victim.
6. Contacting the victim by telephone or causing the victim's telephone or any other person's telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
- 6m. Photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subdivision applies regardless of where the act occurs.
7. Sending material by any means to the victim or, for the purpose of obtaining information about, disseminating information about, or communicating with the victim, to a member of the victim's family or household or an employer, coworker, or friend of the victim.
8. Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
9. Delivering an object to a member of the victim's family or household or an employer, coworker, or friend of the victim or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the victim.
10. Causing a person to engage in any of the acts described in subds. 1. to 9.

Rape is generally defined as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

Under State of Wisconsin law 940.225, rape is referred to as sexual assault, and is defined as sexual intercourse against the will of the victim that can occur under a variety of circumstances, including:

- (1) First degree sexual assault. Whoever does any of the following is guilty of a Class B felony:
 - (a) Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
 - (b) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a

manner to lead the victim reasonably to believe it to be a dangerous weapon.

(c) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.

(2) Second degree sexual assault. Whoever does any of the following is guilty of a Class C felony:

(a) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.

(b) Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.

(c) Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.

(cm) Has sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.

(d) Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.

(f) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without the consent of that person.

(g) Is an employee of a facility or program under s. 940.295 (2) (b), (c), (h) or (k) and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility or program.

(h) Has sexual contact or sexual intercourse with an individual who is confined in a correctional institution if the actor is a correctional staff member. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

(i) Has sexual contact or sexual intercourse with an individual who is on probation, parole, or extended supervision if the actor is a probation, parole, or extended supervision agent who supervises the individual, either directly or through a subordinate, in his or her capacity as a probation, parole, or extended supervision agent or who has influenced or has attempted to influence another probation, parole, or extended supervision agent's supervision of the individual. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

(j) Is a licensee, employee, or nonclient resident of an entity, as defined in s. 48.685 (1) (b) or 50.065 (1) (c), and has sexual contact or sexual intercourse with a client of the entity.

(3) Third degree sexual assault.

(a) Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class G felony.

(b) Whoever has sexual contact in the manner described in sub. (5) (b) 2. or 3. with a person without the consent of that person is guilty of a Class G felony.

(3m) Fourth degree sexual assault. Except as provided in sub. (3), whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

The cities of Racine, Elkhorn, Kenosha, and Burlington; the villages of Sturtevant and Pleasant Prairie; and the counties of Racine, Kenosha, and Walworth do not have local ordinances relating to dating

violence, domestic violence, sexual assault, or stalking.

16. Other sexual offenses

Besides rape, other sexual offenses include the following: sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

In Wisconsin, sexual 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. The following persons are presumed incapable of consent but the presumption may be rebutted by competent evidence:

- a. A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct.
- b. A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

Complete Wisconsin sexual assault offense definitions can be found in WIS.STAT.940.225:

<http://docs.legis.wisconsin.gov/statutes/statutes/940/II>

17. Sex Offenders

In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, you can view sex offenders on the Wisconsin Department of Corrections website: <http://offender.doc.state.wi.us/public>. All sex offenders are required to register in the state of Wisconsin and to provide notice of each institution of higher education in Wisconsin at which the person is employed or is a student.

In addition to the above notice to the State of Wisconsin, all sex offenders are required to deliver written notice of their status as a sex offender to the Associate Vice President, Security and Facilities, no later than three (3) business days prior to enrolling with, commencing employment with, or volunteering at the College.

Such notification may be sent out by the College to, and for the safety and well-being of, the College community and may be considered by the College for disciplinary purposes.

18. Force and Consent

Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent ("Have sex with me or I'll hit you." "Okay, don't hit me, I'll do what you want.").

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

NOTE: Silence or the absence of resistance alone is not consent. There is no requirement on a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. Using force or threat of force to obtain sexual access is by definition non-consensual. Likewise, sexual activity that is non-consensual is not always forced, such as in situations where the party is incapacitated.

- a. **Consent:** Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Consent is required for any sexual activity between two or more individuals. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent can be withdrawn once given, as long as the withdrawal is clearly communicated. Consent is an ongoing process, and as soon as one participant communicates that they no longer want to engage in sexual activity, it should stop.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced.

- b. **Incapacitation:** A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy. It is not an excuse that the responding party was intoxicated and, therefore, did not realize the incapacity of the reporting party. Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from taking incapacitating drugs.

In Wisconsin, a minor (meaning a person under the age of 18 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 18 years old may be a crime, and a potential violation of this policy, even if the minor wanted to engage in the act.

Example of lack of consent:

- a. Amanda and Bill are students attending a college-sponsored trip out of state. Amanda and Bill meet at an evening social arranged as part of the trip. They spend the evening getting to know each other. Bill convinces Amanda to come up to his room. From 11:00pm until 3:00am, Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. He keeps at her, and begins to question her religious convictions, and accuses her of being “a prude.” Finally, it seems to Bill that her resolve is weakening, and he convinces her to give him a “hand job” (hand to genital contact). Amanda would never have engaged in this sexual contact but for Bill’s incessant advances. He feels that he successfully seduced her, and that she wanted to do it all along, but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn’t want it, she could have left.

It is likely that campus decision-makers would find that the degree and duration of the pressure Bill applied to Amanda was unreasonable and therefore a violation of this policy. Bill coerced Amanda into performing unwanted sexual touching upon him. Where sexual activity is coerced, it is forced. Consent is not valid when forced or coerced. Sex without mutual consent that is clearly understood between both parties is sexual misconduct.

19. Other Civil Rights Offenses

In addition to the forms of sexual misconduct described above, the following behaviors are also prohibited as forms of discrimination when the act is based upon the reporting party's actual or perceived membership in a protected class.

- a. Threats (defined as statements where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence against an individual or group of individuals), physical harm, or other conduct which threatens or endangers the physical health or safety of any person;
- b. Discrimination, defined as actions that deprive, limit or deny other members of the community of educational or employment access, benefits or opportunities;
- c. Intimidation, defined as those threats directed at a person or group of persons with the intent of placing the victim in fear of bodily harm or death;
- d. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to the admission, initiation, pledging, joining, or any other group- affiliation activity;
- e. Bullying, defined as
 - i. Repeated and/or severe,
 - ii. Aggressive behavior
 - iii. that is so objectively offensive that it effectively prevents an individual from receiving institutional benefits or opportunities,
 - iv. and that is speech not otherwise protected by the First Amendment

Any other College policies may fall within this section when a violation is motivated by the actual or perceived membership of the reporting party's protected class.

20. Retaliation

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity.

Retaliation against an individual for alleging discrimination, harassment, or sexual misconduct, or for supporting a party bringing an allegation or for assisting in providing information relevant to the foregoing claims is a serious violation of College policy and will be treated as another possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. Gateway is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

Examples of retaliation including:

- A faculty member complains of gender inequity in pay within her department; the Department Chair then revokes his approval allowing her to attend a national conference, citing the faculty member's tendency to "ruffle feathers."
- A student from a student group participates in a sexual misconduct investigation against another

member. The student is subsequently removed from the student group because he participated in the investigation.

21. Remedial Action

Upon notice of alleged discrimination, harassment, sexual misconduct, or retaliation, Gateway will provide written notification to the parties and consider and implement appropriate initial remedial, responsive and/or protective actions. Such actions could include but are not limited to: no contact orders, providing counseling services, academic support, student financial aid counseling, providing a campus escort, changes in transportation, changes to academic or work schedules, safety planning, and/or referral to campus and community support resources. Requests for accommodations can be made to the Office for Equal Opportunity and Civil Rights.

The College will take additional prompt remedial and/or disciplinary action with respect to any member of the community, guest or visitor upon a finding that they have engaged in discriminatory, harassing or retaliatory behavior.

The College will maintain as confidential any accommodations or protective measures, provided confidentiality does not impair the College's ability to provide the accommodations or protective measures.

Victims may request that directory information on file with the College be withheld by request to the Registrar's Office. Regardless of whether a victim has opted-out of allowing the College to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the College will maintain as confidential any accommodations or protective measures, provided to the victim to the extent that maintaining such confidentiality would not impair the College's ability to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

22. Bystander Intervention

Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of harm, dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes: a.) recognizing situations of potential harm; b.) understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.

The most basic and best action an active bystander can take is to call Security or local law enforcement at 911.

Additional ways to be a prosocial (active) bystander, include:

- Being vigilant by watching out for your friends and fellow students or employees
- If you see someone who is too intoxicated to consent, enlist their friends to help them leave safely
- Intervening and asking if a person needs help (e.g., “Do you need a ride?” or “Do you want me to call Security or the police?”)
- Confronting people who seclude, hit on, and try to make out with, or have sex with people who may be incapacitated.
- Speaking up when someone discusses plans to take sexual advantage of another person.
- Believing someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Encouraging victims to self-report;
- Refer people to on- or off- campus resources listed in this document for support in health, counseling, or with legal assistance.

23. Confidentiality and Reporting of Offenses Under This Policy

All College employees (faculty, staff, administrators) are expected to report actual or suspected discrimination, harassment, sexual misconduct and retaliation to appropriate officials immediately, though there are some limited exceptions. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, Student Support Counselors may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate College officials (except in limited circumstances include suspected child abuse or threat of harm to others) – thereby offering options and advice without any obligation to inform an outside agency or campus official unless a reporting party has requested information to be shared. Other resources exist to report crimes and policy violations and these resources will take action when an incident is reported to them. The following describes the reporting options at Gateway:

Confidential Reporting

If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

- i. On-campus licensed professional counselors (Student Support Counselor)
 1. Elkhorn: 262-741-8300
 2. Burlington: 262-741-8300
 3. Kenosha: 262-564-2300
 4. Racine: 262-619-6300
- ii. On-campus Victim Advocates: Women and Children’s Horizons (Kenosha only)
- iii. Off-campus (non-employees):
 1. Licensed professional counselors
 2. Local rape crisis counselors
 - a) Elkhorn: 800-365-1587
 - b) Burlington: 262-638-6741
 - c) Kenosha: 800-236-7188

- d) Racine: 262-638-6741
- 3. Domestic violence resources
 - a) Elkhorn: 262-723-4653
 - b) Burlington: 262-633-3233
 - c) Kenosha: 800-853-3503
 - d) Racine: 262-633-3233
- 4. Local or state assistance agencies
- 5. Clergy/Chaplains

All of the above-listed individuals should maintain confidentiality except in extreme cases of immediacy of threat, danger or abuse of a minor. Student Support Counselors are available to help students free of charge and can be seen during normal business hours. For employees, the Employee Assistance Program is available to provide confidential support services and referrals. College employees listed above will submit anonymous statistical information for Clery Act purposes.

23. Reporting child abuse and sexual abuse of children

Wisconsin law 48.981(2) requires that any mandated reporter who has a reasonable cause to suspect that a child (defined as any person under the age of 18) seen by the person in the course of professional duties has been abused or neglected, or who has reason to believe that a child seen by the person in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur is required to make a report. Mandated reporters include health professionals and mental health providers, among others. For the purpose of this policy, any employee who has reasonable cause to believe that a child who they've seen in the course of their duties at the College has been abused or neglected or threatened with abuse or neglect that will occur should immediately contact the Office for Equal Opportunity and Civil Rights and may be required to contact the local department of human services.

25. False Allegations

Deliberately false and/or malicious accusations under this policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations made in good faith, but that result in a finding of "not responsible" by the institution.

H-120: Resolution Procedure for Allegations of Harassment, Sexual Misconduct, and Other Forms of Discrimination (Equity Resolution Process)

Gateway Technical College will act on any formal or informal allegation or notice of violation of policy H-110, Equal Opportunity, Civil Rights, and Sexual Misconduct, that is received by the Office for Equal Opportunity and Civil Rights or a member of the administration, faculty, or other employee required to make a report under policy H-110.

The procedures described below apply to all allegations of harassment, sexual misconduct, or discrimination on the basis of protected class and retaliation involving students, staff or faculty members. When the responding party (the person who is alleged to have violated this policy) is a member of the College community, such as a student or employee, the Equity Resolution Policy (ERP) is applicable regardless of the status of the reporting party (the person(s) making the allegations) who may be a member or non-member of

the campus community, such as a student, student organization, employee, guest, visitor, etc. These procedures may also be used to address collateral misconduct occurring in conjunction with harassing, discriminatory or retaliatory conduct (e.g.: vandalism, physical abuse of another, etc.).

1. Overview

Upon notice to the Director of Compliance/Title IX Coordinator, this resolution process involves a prompt preliminary inquiry to determine if there is reasonable cause to believe the nondiscrimination policy has been violated. If so, the College will initiate a private investigation that is thorough, reliable, impartial, prompt and fair. The investigation and the subsequent resolution process determines whether policy H-110 has been violated. If so, the College will promptly implement effective remedies designed to end the discrimination, prevent its recurrence and address its effects.

2. Equity Resolution Process (ERP)

Allegations under the policy on nondiscrimination are resolved using the ERP. Civil rights investigators are trained to investigate violations of discrimination and sexual misconduct, at the direction of the Director of Compliance/Title IX Coordinator:

- a. To provide sensitive intake for and initial advice pertaining to the allegations,
- b. To investigate allegations, and
- c. To act as process advisors to those involved in the Equity Resolution Process.

Investigators receive training at least annually, organized by the Director of Compliance/Title IX Coordinator, which includes a review of College policies and procedures as well as applicable federal and state laws and regulations so that they are able to appropriately address allegations, provide accurate information to members of the community, protect safety and promote accountability. This training will include, but is not limited to: how to appropriately remedy, investigate, render findings and recommend appropriate sanctions in reference to all forms of harassment and discrimination allegations; Gateway's Equal Opportunity, Civil Rights, and Sexual Misconduct policy; confidentiality and privacy; and applicable laws, regulations and federal regulatory guidance; interviewing techniques; and understanding trauma. All investigators are required to attend this training to be eligible to serve.

3. Preliminary Inquiry

Following receipt of notice or a report of misconduct, the Director of Compliance/Title IX Coordinator engages in a preliminary inquiry to determine if there is reasonable cause to believe the nondiscrimination policy could have been violated. In addition, all parties are emailed a copy of their rights, information about the equity resolution process, and available support services offered on and off campus. This inquiry may also serve to help the Director of Compliance/Title IX Coordinator to determine if the allegations evidence violence, threat, pattern, predation and/or weapon, in the event that the reporting party has asked for no action to be taken. In any case where violence, threat, pattern, predation, and/or weapon is not evidenced, the Director of Compliance/Title IX Coordinator may respect a reporting party's request for no action, and will investigate only so far as necessary to determine appropriate remedies. As necessary, the College reserves the right to initiate resolution proceedings without a formal report or participation by the reporting party. In cases where the reporting party wishes to proceed or the College determines it must proceed, and the preliminary inquiry shows that reasonable cause exists, the Director of Compliance/Title IX Coordinator will direct a formal investigation to commence and the allegation will be resolved through one of the processes

discussed briefly here and in greater detail below:

- **Informal Resolution (mediation)** – used for less serious offenses and only when both parties agree to mediation. If informal resolution is desired by the reporting party, and appears appropriate given the nature of the alleged behavior, then the report does not proceed to investigation, unless a pattern of misconduct is suspected or there is an actual or perceived threat of further harm to the community or any of its members.
- **Administrative Resolution (investigation)** – resolution by a trained administrator. The process followed considers the preference of the parties, but is ultimately determined at the discretion of the Director of Compliance/Title IX Coordinator.

Once a formal investigation is commenced, the Director of Compliance/Title IX Coordinator will provide written notification of the investigation to the responding party at the onset of a formal investigation. The College aims to complete all formal investigations within a sixty (60) calendar day time period, which can be extended as necessary for appropriate cause by the Director of Compliance/Title IX Coordinator with written notice to the parties of the delay, the reason for the delay, and the anticipated timeframe for completion.

If, during the preliminary inquiry or at any point during the formal investigation, the Director of Compliance/Title IX Coordinator determines that there is no reasonable cause to believe that policy H-110 has been violated, the process will end unless the reporting party requests that the Title IX Officer makes an extraordinary determination to re-open the investigation. Such a determination may be appropriate where the reporting party identifies new evidence or information not previously available. This decision lies in the sole discretion of the Equal Opportunity Officer.

4. Interim Remedies/Actions

The Director of Compliance/Title IX Coordinator may provide interim remedies intended to address the short-term effects of discrimination, harassment, sexual misconduct and/or retaliation, i.e., to redress harm to the reporting party and the community and to prevent further violations. These remedies may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the college community through prevention and remedial programming
- Altering work arrangements for employees
- Providing campus escorts
- Implementing contact limitations between the parties
- Offering adjustments to academic deadlines and course schedules

The College may interim suspend an employee, student, or organization pending the completion of the ERP investigation and procedures, particularly when in the judgment of the Director of Compliance/Title IX Coordinator, after conducting a preliminary assessment which includes an interview of the responding party, the individual poses a threat to the safety or well-being of any member(s) of the campus community. In all cases in which an interim suspension is imposed, the

employee, student, or student organization will be given the option to meet with the Director of Compliance/Title IX Coordinator and the dean or director of employee and labor relations, prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. The Director of Compliance/Title IX Coordinator will coordinate with the campus dean (in regard to students) or director of employee and labor relations (in regard to employees) to implement or stay an interim suspension and to determine its conditions and duration. Violation of the terms of an interim suspension under this policy will be grounds for expulsion or termination. During an interim suspension or administrative leave, a student or employee may be denied access to College campus/facilities/events. As determined by the Director of Compliance/Title IX Coordinator, this restriction can include classes and/or all other College activities or privileges for which the student might otherwise be eligible. At the discretion of the Director of Compliance/Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding party.

The institution will maintain as private any interim actions or protective measures, provided privacy does not impair the institution's ability to provide the interim actions or protective measures.

5. Investigation

Once the decision is made to commence a formal investigation, the Director of Compliance/Title IX Coordinator appoints at least one investigator to conduct the investigation, usually within two (2) days of determining that an investigation should proceed.

Investigations are completed expeditiously though some investigations take weeks or even months, depending on the nature, extent and complexity of the allegations, availability of witnesses, police involvement, etc.

The College may undertake a short delay in its investigation (several days to weeks, to allow evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. The College will promptly resume its investigation and resolution processes once notified by law enforcement that the initial evidence collection process is complete or as soon as the College believes this to be the case. College action will not typically be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

All investigations will be thorough, reliable, impartial, prompt and fair. Investigations entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, as necessary. The investigators and/or Director of Compliance/Title IX Coordinator will provide regular updates to the reporting and responding party throughout the investigation, as appropriate.

The investigators will typically take the following steps, if not already completed (not necessarily in order). The nature and type of investigation will ultimately determine the steps and order of these steps.

- In coordination with campus partners (e.g.: The Campus or Academic Dean), initiate or assist with any necessary interim remedial actions;
- Determine the identity and contact information of the reporting party;

- Identify all policies allegedly violated;
- In cases where there is reasonable cause to believe other college policies were violated the complaint will be referred to the appropriate office unless investigated as a collateral allegation as described in the Administrative Resolution section, below;
- Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding party, who will be given notice prior to interview;
- The Director of Compliance/Title IX Coordinator (or designee) will prepare the notice of allegation on the basis of the preliminary inquiry that includes the rights of all parties, on and off campus support services, information about the equity resolution process;
- Meet with the reporting party to finalize their statement, if necessary;
- Provide written notification to the parties prior to their interviews that they may have the assistance of an advisor of their choosing present for all meetings attended by the advisee;
- Provide reporting party and responding party with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures and a statement of the potential sanctions/responsive actions that could result;
- Allow each party the opportunity to suggest questions they wish the investigators to ask of the other party and witnesses.
- Provide parties with all relevant evidence to be used in rendering a determination and provide each with a full and fair opportunity to address that evidence prior to a finding being rendered;
- Make a finding, based on a preponderance of the evidence (which means whether a policy violation is more likely than not to have occurred);
- Once the report is complete, the report is shared with the parties for their review and comment. Both parties have five days to review the report and all material evidence collected during the investigation and which was used to make a determination. The investigator(s) may conduct additional investigation based on the feedback and incorporate feedback from the parties as appropriate;
- The Director of Compliance/Title IX Coordinator will make recommendations for sanctions if the policy was violated;
- The Title IX Officer will review and approve the report, findings, and sanctions, if applicable;
- The investigator will finalize and present the findings to the parties in writing.

At any point during the investigation, if it is determined there is no reasonable cause to believe that College policy has been violated, the Director of Compliance/Title IX Coordinator has authority to terminate the investigation and end resolution proceedings.

Witnesses (as distinguished from the parties) are expected to cooperate with and participate in the College's investigation and the Equity Resolution Process. Failure of a witness to cooperate with and/or participate in the investigation or Equity Resolution Process constitutes a violation of policy and may be subject to discipline. Witnesses may provide written statements in lieu of interviews during the

investigation and may be interviewed remotely by phone or Skype (or similar technology), if they cannot be interviewed in person or if the investigators determine that timeliness or efficiency dictate a need for remote interviewing. Parties who elect not to participate in the investigation or to withhold information from the investigation do not have the ability to offer evidence later during the appeal if it could have been offered during the investigation. Failure to offer evidence prior to an appeal does not constitute grounds for appeal on the basis of new evidence.

No unauthorized audio or video recording of any kind is permitted during investigation meetings or other Equity Resolution Process proceedings.

6. Advisors

Each party is allowed to have an advisor of their choice present with them for all ERP meetings and proceedings, from intake through to final determination. The parties may select whomever they wish to serve as their advisor as long as the advisor is available, and usually otherwise not involved in the resolution process (such as serving as a witness). The advisor may be a friend, mentor, family member, attorney or any other supporter a party chooses to advise them who is available. The parties may choose advisors from inside or outside the campus community. The parties may also choose to proceed without an advisor.

The role of the Advisor is to help their advisees prepare for each meeting. All Advisors are expected to advise ethically, with integrity and in good faith.

The College cannot guarantee equal advisory rights. If one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide one. All advisors are subject to the same campus rules. Advisors may not address campus officials in a meeting or interview unless invited to. The advisor may not make a presentation or represent the reporting party or the responding party during any meeting or proceeding and may not speak on behalf of the advisee to the investigators. The parties are expected to ask and respond to questions on their own behalf, without representation by their advisor.

Advisors may confer quietly with their advisees or in writing as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation. Advisors will typically be given an opportunity to meet in advance of any interview or meeting with the administrative officials conducting that interview or meeting. This pre-meeting will allow advisors to clarify any questions they may have, and allows the College an opportunity to clarify the role the advisor is expected to take.

Advisors are expected to refrain from interference with the investigation and resolution. Any advisor who steps out of their role will be warned once and only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting. When an advisor is removed from a meeting, that meeting will typically continue without the advisor present. Subsequently, the Director of Compliance/Title IX Coordinator will determine whether the advisor may be reinstated, may be replaced by a different advisor, or whether the party will forfeit the right to an advisor for the remainder of the process.

The College expects that the parties will wish to share documentation related to the allegations with their advisors. The College provides a consent form that authorizes such sharing. The parties must complete this form before the College is able to share records with an advisor, though parties may

share the information directly with their advisor if they wish. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College.

The College may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the College's privacy expectations.

The College expects an advisor to adjust their schedule to allow them to attend Gateway meetings when scheduled. The College does not typically change scheduled meetings to accommodate an advisor's inability to attend. The College will, however, make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video and/or virtual meeting technologies as may be convenient and available. A party may elect to change advisors during the process, and is not locked into using the same advisor throughout.

The parties must advise the investigators of the identity of their advisor at least one day before the date of their first meeting with investigators (or as soon as possible if a more expeditious meeting is necessary or desired). The parties must provide timely notice to investigators if they change advisors at anytime.

7. Resolution

Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with College policy. While the contents of the meetings are private, the parties have discretion to share their own experiences if they so choose, and should discuss doing so with their advisors.

a. Informal Resolution

Informal Resolution, also called mediation, is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the formal resolution process to resolve conflicts. The Director of Compliance/Title IX Coordinator will determine if mediation is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to mediation. In a mediation meeting, a trained administrator will facilitate a dialogue with the parties to an effective resolution, if possible. Sanctions are not possible as the result of a mediation process, though the parties may agree to appropriate remedies. The Director of Compliance/Title IX Coordinator will keep records of any resolution that is reached, and failure to abide by the agreement can result in appropriate responsive actions.

Informal resolution will not be the primary resolution mechanism used to address reports of violent behavior of any kind or in other cases of serious violations of policy, though it may be made available after the formal process is completed should the parties and the Director of Compliance/Title IX Coordinator believe that it could be beneficial. Mediation will not be used in cases of sexual violence. It is not necessary to pursue informal resolution first in order to pursue Administrative Resolution, and any party participating in mediation can stop that process at any time and request a shift to Administrative Resolution.

b. Administrative Resolution

Administrative Resolution, also referred to as an investigation, can be pursued for any behavior that falls within the policy on Equal Opportunity, Civil Rights, and Sexual Misconduct, at any time during the process. In addition, the College has the authority to address all collateral misconduct (i.e., any additional alleged policy violations that have occurred in concert with the discrimination, harassment

or retaliation) during the Administrative Resolution even though those collateral allegations may not specifically fall within the policy on Equal Opportunity, Civil Rights, and Sexual Misconduct. Accordingly, investigations should be conducted with as wide a scope as necessary.

Administrative Resolution relies on the evidence, information and recommended findings within the investigation report to render a determination. Upon completion of the investigation, the investigator will provide the Director of Compliance/Title IX Coordinator with a written report summarizing the evidence gathered and examined, including an assessment of credibility of the parties and witnesses, an analysis of the information and a recommended finding and sanction (if applicable). The Director of Compliance/Title IX Coordinator will request that the investigator(s) conduct any additional necessary inquiry, and will then finalize a determination in accordance with the procedures below. The Title IX Officer will consider, but is not bound by, recommendations of the investigation.

In making his recommended determination to the Equal Opportunity Officer, who conducts the final review of the investigation report, the Director of Compliance/Title IX Coordinator may consider all evidence that he believes is relevant and credible, including history and pattern evidence. The Director of Compliance/Title IX Coordinator may exclude irrelevant or immaterial evidence and may choose to disregard evidence lacking in credibility or that is improperly prejudicial.

Unless the Director of Compliance/Title IX Coordinator determines it is appropriate, the investigation and the finding will not consider: (1) incidents not directly related to the possible violation, unless they show a pattern, (2) the sexual history of the reporting party (though there may be a limited exception made in regards to the sexual history between the parties), (3) or the character of the reporting party. While previous conduct violations by the responding party are not generally admissible as information about the present allegation, the investigators will supply the Director of Compliance/Title IX Coordinator with information about previous good faith allegations and/or findings to consider as evidence of pattern and/or predatory conduct.

Neither the Director of Compliance/Title IX Coordinator nor the investigators will meet with character witnesses, but investigators will accept up to two (2) letters supporting the character of each of the parties when considering sanctions.

The Director of Compliance/Title IX Coordinator will base the determination(s) on the preponderance of the evidence (whether it is more likely than not that the responding party violated policy as alleged).

The responding party may choose to admit responsibility for all or part of the alleged policy violations at any point during the Administrative Resolution process. If the responding party admits responsibility, the Director of Compliance/Title IX Coordinator may render a determination that the individual is in violation of College policy.

If the responding party admits the violation, or is found in violation by a preponderance of the evidence, the Director of Compliance/Title IX Coordinator, in consultation with the Equal Opportunity Officer, and others as appropriate, will determine an appropriate sanction or responsive action, will implement it, and will act promptly and effectively to stop the harassment or discrimination, prevent its recurrence and remedy the effects of the discriminatory conduct.

The Director of Compliance/Title IX Coordinator will inform the parties of the final determination within three (3) days of the resolution, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official College records; or emailed to the parties' College issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The notification of outcome will specify the finding on

each alleged policy violation, any sanctions that may result which the College is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the College is permitted to share under state or federal law. The notice will also include information on when the results are considered by the College to be final, any changes that occur prior to finalization, and any appeals options that are available.

c. Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment and/or retaliation
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the reporting party and the community
- Any other information deemed relevant by the Director of Compliance/Title IX Coordinator

These factors can modify the typical sanction range.

The following are the usual sanctions that may be imposed upon students or student organizations singly or in combination.

- **Warning:** verbal or written notice to a student that serves to remind the student of the policy and prohibited behaviors, and that continued behavior may result in more significant sanctions.
- **Restriction:** a limitation on the student's access to identified services, locations, education, community activities or persons. Issued for a specified time frame.
- **Restitution:** Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.
- **Referral:** Issued to a student who has committed a violation of this policy and it is determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return to or continued attendance at the College.
- **Loss of Privileges:** Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance at the College with permanent or temporary limitations on the student's access to identified services, locations, or educational community activities.

- No Contact: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance at the College with permanent or temporary limitations on the student's access to or contact with an identified individual or group(s) of student and/or staff.
- Disciplinary Probation: Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
- Suspension: Issued to a student, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.
- Expulsion/Dismissal: Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.
- Other Actions: In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

Sex discrimination: verbal warning to expulsion/dismissal

Hostile environment sexual harassment: verbal warning to expulsion/dismissal

Intimate Partner Violence: verbal warning to expulsion/dismissal

Sexual exploitation: verbal warning to expulsion/dismissal

Stalking: verbal warning to expulsion/dismissal

Non-consensual sexual contact: verbal warning to expulsion/dismissal

Non-consensual sexual intercourse: verbal warning to expulsion/dismissal

Retaliation: verbal warning to expulsion/dismissal

Sanctions range from a verbal warning to expulsion from the college, based on the offense and the factors noted above in addition to any mitigating, aggravating, and/or compounding factors.

Responsive actions for an employee who has engaged in discrimination, harassment, sexual misconduct and/or retaliation include

- Warning: verbal or written notice to an employee that serves to remind the employee of the policy and prohibited behaviors, and that continued behavior may result in more significant sanctions,
- Restriction: a limitation on the employee's access to identified services, locations, or persons. Issued for a specified time frame.
- Restitution: Issued to an employee who has committed a violation of this policy that resulted in staff, institutional or student's financial loss. May be issued as a condition of return or continued employment in the College.
- Referral: Issued to an employee who has committed a violation of this policy and it is determined that continued employment at the College is contingent upon the employee attending designated services or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued employment at the College.
- Loss of Privileges: Issued to an employee who has committed a violation of this policy and it is determined that the employee may continue employment at the College with permanent or temporary limitations on the employee's access to identified services, locations, or College activities.

- **No Contact:** Issued to an employee who has committed a violation of this policy and it is determined that the employee may continue employment at the college with permanent or temporary limitations on the employees' access to or contact with an identified individual(s) or groups of student and/or staff.
- **Disciplinary Probation:** Issued to an employee who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
- **Suspension:** Issued to an employee, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy. Suspension may be unpaid depending on applicable College policy.
- **Termination of employment:** Permanent termination of employment for an employee who has committed a major, egregious or continued violation(s) of this policy.
- **Other Actions:** In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

Sex discrimination: verbal warning to expulsion/dismissal

Hostile environment sexual harassment: verbal warning to expulsion/dismissal

Intimate Partner Violence: verbal warning to expulsion/dismissal

Sexual exploitation: verbal warning to expulsion/dismissal

Stalking: verbal warning to expulsion/dismissal

Non-consensual sexual contact: verbal warning to expulsion/dismissal

Non-consensual sexual intercourse: verbal warning to expulsion/dismissal

Retaliation: verbal warning to expulsion/dismissal

Sanctions range from a verbal warning to expulsion from the college, based on the offense and the factors noted above in addition to any mitigating, aggravating, and/or compounding factors. The college retains the rights to issues sanctions outside the identified range depending on the individual circumstances.

Restrictions, loss of privileges, no contact orders, disciplinary probation, suspension, and expulsion generally range from one day to five years. Students and employees must satisfy any and all requirements imposed at the time of the sanction to remove the sanction(s).

8. Withdrawal or Resignation While an Investigation is Pending

Students: The College does not permit a student to withdraw if that student has an allegation pending for violation of the policy on Equal Opportunity, Harassment and Nondiscrimination. Should a student decide to leave and/or not participate in the ERP, the process will nonetheless proceed in the student's absence to a reasonable resolution and that student will not be permitted to return to College unless all sanctions have been satisfied. The student will not have access to an academic transcript until the allegations have been resolved.

Employees: Should an employee resign with unresolved allegations pending, the records of the Office for Equal Opportunity and Civil Rights and Human Resources will reflect that status. Employees who resign during the Equity Resolution Process may be deemed ineligible for rehire.

9. Appeals

All requests for appeal consideration must be submitted in writing to the Title IX Officer within five (5) calendar days of the delivery of the written finding (outcome letter) of the Director of Compliance/Title IX Coordinator. Any party may appeal the findings and/or sanctions only under the following grounds.

- To determine whether a procedural error or omission occurred that significantly impacted the outcome (e.g. substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unknown or unavailable during the original investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
- The sanctions imposed are not proportionate to the violation(s) and the cumulative record of the responding party.

The Title IX Officer will review the appeal request(s) to determine if it meets one of the three criteria above. The Vice President of Institutional Effectiveness and Student Success, Senior Vice President of Operations, and Executive Vice President and Provost serve as appeals officers. The original finding and sanction/responsive actions will stand if the appeal is not timely or is not based on the grounds listed above, and such a decision is final. The party requesting appeal must show that the grounds for an appeal request have been met, and the other party or parties may show the grounds have not been met, or that additional grounds are met. The original finding and sanction are presumed to have been decided reasonably and appropriately. When any party requests an appeal, the Title IX Officer will share the appeal request with the other party(ies), who may file a response within three days and/or bring their own appeal on separate grounds. If new grounds are raised, the original appealing party will be permitted to submit a written response to these new grounds within three (3) days. These responses or appeal requests will be shared with each party.

- Decisions by the appeals officer are to be deferential to the original decision, making changes to the finding only where there is clear error and to the sanction/responsive action only if there is a compelling justification to do so. In most cases, appeals are confined to a review of the written documentation or record of the investigation, and pertinent documentation regarding the grounds for appeal. An appeal is not an opportunity for the appeals officer to substitute their judgment for that of the original investigator(s) or Director of Compliance/Title IX Coordinator merely because they disagree with its finding and/or sanctions.
- Appeals granted based on new evidence should normally be sent back (remanded) to the investigator(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Officer or, in limited circumstances, heard by the appeals officer.
- Sanctions imposed as the result of Administrative Resolution are implemented immediately unless the Title IX Officer or designee stays (puts a hold on) their implementation in extraordinary circumstances, pending the outcome of the appeal.
 - For students: Graduation, study abroad, internships/ externships, etc. do NOT in and of themselves constitute extraordinary circumstances, and students may not be able to participate in those activities during their appeal.
- In rare cases where a procedural or substantive error cannot be cured by the original investigator(s) and/or Director of Compliance/Title IX Coordinator (as in cases of bias), the appeals officer may recommend a new investigation and/or Administrative Resolution process. The results of a remand cannot be appealed. The results of a new Administrative Resolution process can be appealed on any of the applicable grounds for appeals.

- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand.
- The Director of Compliance/Title IX Coordinator will consult with the appeals officer, incorporate the results of any remanded grounds, and render a written decision on the appeal to all parties within three (3) days of the resolution of the appeal or remand.
- All parties will be informed in writing within three (3) days of the outcome of the Appeals Officer, without significant time delay between notifications, and in accordance with the standards for notice of outcome as defined above.
- In cases where the appeal results in reinstatement to the College or resumption of privileges, all reasonable attempts will be made to restore the responding party to their prior status, recognizing that some opportunities lost may be unable to be restored in the short term.

Principles governing appeals involving a student suspension or expulsion will include the following:

- Where the Administrative Resolution Process has resulted in a finding that a student responding party violated policy H-110 and the recommended sanction includes suspension or expulsion, prior to the implementation of the suspension or expulsion, the student may file an appeal. Under such circumstances, the matter will proceed to a hearing on the issue of whether a preponderance of the evidence demonstrates that the responding party violated Policy H-110, and if so, what sanctions shall be implemented.
- At least fourteen (14) calendar days prior to the hearing, or as far in advance as is reasonably possible if an accelerated resolution process is scheduled with the consent of the parties, the Appeals Officer (or designee) will send a letter by at least one of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official College records; or emailed to the parties' College issued email account. The letter will include the following: (1) an indication that the parties may have the assistance of an Advisor of their choosing, at the hearing, though the Advisor's attendance at the hearing is the responsibility of the respective parties; (2) the time, date and location of the hearing; and (3) a copy of the investigation determination. For good cause, the Appeals Officer may grant requests to reschedule the hearing date.
- At least seven (7) calendar days prior to the hearing, the parties provide the Appeals Officer a list of the names of the proposed witnesses and copies of all proposed documentary evidence. At least five (5) business days prior to the hearing, the Appeals Officer (or designee) will have the names of proposed witnesses and copies of all applicable documentary evidence available for the parties.
- The Appeals Officer in consultation with the parties, the Director of Compliance/Title IX Coordinator, and the Investigator(s), may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the Investigator in the investigation report or during the hearing. All parties will have ample opportunity to present facts and arguments in full and question all present witnesses during the hearing, though formal cross-examination is not used between the parties. If alternative attendance or questioning methods are desired, the parties should request them from the Appeals Officer at least two (2) business days prior to the hearing. Gateway will make reasonable accommodations for both parties in keeping with the principles of equity and fairness.

Conduct of Hearing

The Appeals Officer shall preside over the hearing, call the hearing to order, ascertain the presence or absence of the Director of Compliance/Title IX Coordinator, Investigator, and the parties, confirm receipt of the notice of hearing, report any extensions requested or granted, and establish the presence of any Advisors. Formal rules of evidence shall not apply during the hearing.

- *Investigator's Report and Testimony* - The Investigator will first present the written investigative report and may give a narrative report of the investigation, and then be subject to questioning by the reporting party, the responding party, and the Appeals Officer. The Investigator may also call witnesses who will be subject to questioning by the Investigator, the reporting party, the responding party and the Appeals Officer. The Investigator may also submit documentary evidence. The Investigator(s) will remain present during the entire hearing process.
- *Reporting Party's Evidence* - The reporting party may give testimony and be subject to questioning by the Investigator, the responding party (through the Appeals Officer) and the Appeals Officer. The reporting party may also call and question witnesses who may also then be questioned by the responding party, the Investigator and the Appeals Officer. The Complainant may also submit documentary evidence.
- *Responding Party's Evidence* - The responding party may give testimony and be subject to questioning by the Investigator, the reporting party (through the Appeals Officer) and the Appeals Officer. The responding party may also call and question witnesses who may also then be questioned by the reporting party, the Investigator and the Appeals Officer. The responding party may also submit documentary evidence.

Additional Rights of the Appeals Officer - The Appeals Officer shall:

- Determine the relevancy and admissibility of any evidence offered at the hearing;
- Have the authority to exclude a witness proposed by the Investigator or the parties if it is determined that his/her testimony would be redundant or not relevant;
- Have the authority to dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the Appeals Officer's rulings.
- *Findings and Sanctions* - Following the hearing, the Appeals Officer shall determine whether a preponderance of the evidence demonstrates that the responding party is responsible for the policy violations in question. If the responding party is found responsible, the Appeals Officer shall determine appropriate sanctions. The Appeals Officer will prepare a written report detailing the finding and information supporting the finding. If the responding party is found responsible, the report will conclude with the recommended sanctions.

The report shall be delivered to the Investigator and Director of Compliance/Title IX Coordinator within ten (10) calendar days of the hearing. Deviation from this timeline will be communicated to the Investigator, Director of Compliance/Title IX Coordinator, and the parties. The Director of Compliance/Title IX Coordinator will inform the parties of the

determination within five (5) calendar days of receipt of the report, without significant time delay between notifications. Notification will be made by at least one of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official College records; or emailed to the parties' College issued email account.

- *Appeal of Hearing Findings and Sanctions* - All requests for appeal consideration must be submitted in writing to the Title IX Officer within ten (10) calendar days of the delivery of the written findings to the appealing party. Any party may appeal the findings and/or sanctions under the grounds described below:
 - To determine whether a procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
 - To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included. If additional information is offered or provided, the Title IX Officer may refer the matter back to the Appeals Officer to consider the new information, provide either party with an opportunity to respond to such new information, and to determine whether the findings and sanctions should be changed.

The appeal will proceed consistent with the procedures outlined above and will be conducted by the Provost or designee.

10. Long-Term Remedies/Actions

Following the conclusion of the Equity Resolution Process and in addition to any sanctions implemented, the Director of Compliance/Title IX Coordinator may utilize long-term remedies or actions to stop discrimination, harassment, sexual misconduct or retaliation, remedy their effects on the individual and college community, and prevent their reoccurrence. These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Permanently altering work arrangements for employees
- Providing campus escorts
- Policy modification
- Implementing long-term contact limitations between the parties
- Offering adjustments to academic deadlines, course schedules, etc.

At the discretion of the Director of Compliance/Title IX Coordinator, long-term remedies may also be provided even when the responding party is found not responsible.

The institution will maintain as confidential any long-term remedies/actions or protective measures,

provided confidentiality does not impair the institution's ability to provide the actions or protective measures.

11. Failure to Complete Sanctions/Comply with Interim and Long-term Remedies/Responsive Actions

All responding parties are expected to comply with conduct sanctions, responsive actions and corrective actions within the timeframe specified by the Director of Compliance/Title IX Coordinator. Failure to abide by these conduct sanctions, responsive actions and corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions (including suspension, expulsion, or termination from the College) or responsive or corrective actions and may be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Director of Compliance/Title IX Coordinator.

12. Records policy

Records, both physical and electronic, of incidents or complaints and those produced during a Title IX or other civil rights inquiry or investigation are maintained indefinitely by the Office for Equal Opportunity and Civil Rights. Records that pertain to students are part of their student record and subject to FERPA. Drafts and "working files" are not considered records that must be maintained by the College and are destroyed at the conclusion of an inquiry or investigation. Students and employees may access these records in accordance with applicable College policies on access to records.

13. Statement of the Rights of the Parties

Both the reporting and the responding party shall have the right to:

- Investigation and appropriate resolution of all credible allegations of sexual misconduct or discrimination made in good faith to College officials;
- Bring an advisor of their choosing to all phases of the investigation and resolution proceeding*;
- Ask the investigators to identify and question relevant witnesses, including expert witnesses;
- Be informed in advance, when possible, of any public release of information regarding the incident;
- Be treated with respect by College officials;
- Have College policies and procedures followed without material deviation and transparent to all parties;
- Have reports of sexual misconduct/discrimination responded to promptly and with sensitivity by campus officials;
- Be notified of available counseling, mental health, victim advocacy, health, legal assistance, student financial aid, visa and immigration assistance, or other student services, both on campus and in the community;
- A campus no contact order (or a trespass order against a non-affiliated third party) when someone has engaged in or threatensto engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the party or others;
- Notification of and options for, and available assistance in, changing academic situations after an alleged incidents covered under policy H-110, if so requested and if such changes are reasonably available (no formal report, or investigation, campus or criminal, need occur before this option is available). Accommodations may include:

- Exam (paper, assignment) rescheduling;
- Taking an incomplete in a class;
- Transferring class sections;
- Temporary withdrawal;
- Alternative course completion options.
- Have the College maintain such accommodations for as long as is necessary, and for protective measures to remain confidential, provided confidentiality does not impair the institution's ability to provide the accommodations or protective measures;
- Be fully informed of campus policies and procedures as well as the nature and extent of all alleged violations contained within the report;
- Be informed of the names of all witnesses whose information will be used to render a finding, in advance of that finding, except in cases where a witness's identity will not be revealed to a party for compelling safety reasons (this does not include the name of the reporting party, which will always be revealed);
- Not have irrelevant prior sexual history admitted as evidence;
- Regular updates on the status of the investigation and/or resolution;
- Have reports addressed by investigators and Director of Compliance/Title IX Coordinator who have received annual training;
- Preservation of privacy, to the extent possible and permitted by law;
- Meetings and/or interviews that are closed to the public;
- Petition that any College representative in the process be recused (removed) on the basis of demonstrated bias or conflict-of-interest;
- Have the College compel the participation of faculty and staff witnesses, and the opportunity (if desired) to provide the investigators with a list of potential questions to ask of witnesses, and the right to challenge documentary evidence;
- Submit a written statement describing the impact of the alleged discrimination/misconduct to the Title IX investigator following determination of responsibility, but prior to sanctioning;
- Be promptly and simultaneously informed of the outcome and sanction of the resolution process in writing, without undue delay between the notifications to the parties;
- Be informed simultaneously in writing of when a decision by the College is considered final, any changes to the sanction to occur before the decision is finalized, to be informed of the right to appeal the finding and result of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the College.

In addition, the reporting party shall have the right to:

- Not have any personally identifiable information released to the public, without their consent;
- Not be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence;

- Not be discouraged by College officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities;
- Be informed by College officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the reporting party so chooses. This also includes the right not to be pressured to report, as well.

14. Disabilities Accommodation in the Equity Resolution Process

Gateway is committed to providing qualified students, employees or others with disabilities with reasonable accommodations and support needed to ensure equal access to the Equity Resolution Process at the College. Students needing such accommodations or support should contact the Director of Disability Support Services, and employees should contact the Director of Compliance/Title IX Coordinator, who will review the request and, in consultation with the person requesting the accommodation, and the Director of Compliance/Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation.

15. Revision

These policies and procedures will be reviewed and updated regularly by the Director of Compliance/Title IX Coordinator. The College reserves the right to make changes to this document as necessary and once those changes are posted online at gtc.edu/TitleIX, they are in effect. The Director of Compliance/Title IX Coordinator may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules, etc. The Director of Compliance/Title IX Coordinator may also vary procedures materially with notice (on the institutional web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of the resolution will apply to resolution of incidents, regardless of when the incident occurred. The policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution, unless the parties consent to be bound by the current policy. If government regulations change in a way that impacts this document, this document will be construed to comply with government regulations in their most recent form. This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such codes generally.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **Domestic Violence:**
 - A Felony or misdemeanor crime of violence committed—
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

- E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
 - ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
 - i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - ii. For the purposes of this definition—
 - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - B) Dating violence does not include acts covered under the definition of domestic violence.
 - iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
 - i. **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - ii. **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - iii. **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - iv. **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking:**
 - i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - A) Fear for the person's safety or the safety of others; or
 - B) Suffer substantial emotional distress.
 - ii. For the purposes of this definition—
 - A) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
 - B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 - C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

- iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Note: Jurisdictional and institutional definitions for the above listed items can be found in our Sexual Harassment Policy and Sexual Misconduct Policy as listed below.

Bystander Intervention

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” Gateway Technical College wants to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

How to be an Active Bystander (adopted from Stanford University’s Bystander Intervention Strategies):

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.

12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Response Safety Steps

Victims of sexual misconduct, gender-based violence or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence are encouraged to review some or all of these safety suggestions designed to guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, call 911.
2. Consider securing immediate professional support (e.g.: counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to the Student Services Center to speak with a licensed professional counselor for support and guidance. These licensed counselors are confidential resources and in most cases, do not have a legal duty to report to the Title IX Coordinator. Outside of normal campus hours, you may ask to speak to a crisis support counselor provided by the county.
4. It is important to protect physical evidence of the assault. Do not shower, bathe, douche, or change clothes. Do not disturb anything at the scene of the assault or dispose of any evidence such as sheets and towels. If you go to the hospital, a Sexual Assault Nurse Examiner (SANE) will collect physical evidence from your body and clothes. Victims can have a forensic medical exam at the following hospital emergency departments, 24 hours a day, seven days a week.

Aurora Kenosha Medical Center, 10400 75th St # 205, 53142 Kenosha, WI, (262) 948 5640

Aurora Burlington Medical Center, 252 McHenry St., Burlington, WI. 53105, (262) 767-6100

Wheaton Franciscan Sexual Assault Treatment Center, 3801 Spring Street, CVI Building, Racine, WI. 53405, 262-687-4011

In Wisconsin, evidence may be collected even if you chose not to make a report to law enforcement.⁸ Victims must register as a patient with the hospital and will receive any needed medical treatment. In addition, victims will be provided with a sexual assault advocate from a local sexual assault prevention agency.

Note: As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If an individual chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the Title IX Office or local law enforcement to preserve evidence in the event that the individual decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or police. To further preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable. Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet, to avoid contamination. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo. Record the names of any witnesses, and their contact information. This information may be helpful to the proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation. Try to memorize details (physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so. If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse), please notify the campus Title IX Coordinator and/or Campus Security so that those orders can be observed on campus.

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;

⁹ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

Any person who obtains a protective order from Wisconsin or any reciprocal state should contact Campus Security who can work with police and the Title IX Coordinator to coordinate services and additional assistance to the victim. This information will be shared with additional persons only at the request of the victim. Survivors may choose to meet with a local domestic violence advocate and/or the Office for Equal Opportunity and Civil Rights to develop a Campus Safety Action Plan, which is a plan for the victim to have in place to provide the victim options and resources to travel to and from campus safely. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. The College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

Domestic violence restraining orders may be issued when one or more the following occur:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s. 940.225 (1), (2) or (3).
4. A violation of s. 940.32.
5. A violation of s. 943.01, involving property that belongs to the individual.
6. A threat to engage in the conduct under subd. 1., 2., 3., 4., or 5.

A harassment restraining order may be issued when one or more of the following occur:

1. Striking, shoving, kicking or subjecting another to physical contact;
2. Engaging in an act that would constitute abuse under §48.02(1) [child abuse];
3. Sexual assault under §940.225 [1st, 2nd, 3rd degree];
4. Stalking under §940.32; or
5. Attempting or threatening to do any of the above.
6. Engaging in a course of conduct or repeatedly committing acts which harass or intimidate another person and which serve no legitimate purpose.

A restraining order is a court order that orders someone not to hurt you, to stay away from you, move out of the house, have no contact with you, or stop harassing you.

How to get a restraining order:

A victim may start the process by requesting papers for a temporary restraining order (TRO) from the Circuit Court 1) in the County where respondent resides; or 2) in the County where petitioner resides; 3) in the County where cause of action arose (where incident occurred); or 4) in the County where petitioner is temporarily residing. These papers are called the petition. The person completing the petition is called the petitioner. The person you file against is called the respondent. Once the victim files a TRO petition, the court decides whether or not to issue a TRO based on the information you write in the petition. If the court grants the TRO, the court will schedule a hearing for the victim to come back to court within 14 days. This hearing is called an injunction hearing. At that hearing the victim will ask the court to order a final order of protection, which is called an injunction. An injunction can be granted for up to 2 years for child abuse, and up to 4 years for domestic abuse, harassment, and individuals at risk.

Clery Act Crime Information and Statistics

The below charts provide statistics for all Clery reportable crimes separated by campus. This includes the number of arrests for liquor, drug and illegal weapons law violations at each campus. The charts also show the number of students and employees referred for campus disciplinary action for conduct that would constitute both a liquor, drug, or weapons law violation, and a violation of college policy. Not all individuals referred for disciplinary action were found to have committed the rules violation with which they were charged.

The information provided includes incidents and crimes reported to the Safety and Security Department, campus administrators, Campus Security Authorities (CSAs) that occurred on or within the college's Clery Geography and local law enforcement authorities with jurisdiction of each location. Not all local law enforcement agencies responded to the request for statistics. The statistics in each chart include all reported crimes, not just those crimes determined to have actually occurred. Also, the reported crimes may have involved individuals not associated with Gateway Technical College.

Each chart provides information about the location where the alleged crime, arrest, or incident resulting in disciplinary action occurred. For the purposes of Clery Act geography, each campus requires its own chart. For the Kenosha Campus, LakeView Advanced Technology Center is represented on the chart and any incident at this location is listed under Non-Campus Property. In addition, all leased or controlled spaces not associated with a campus locations are listed under the Kenosha Campus' Non-Campus property unless explicitly stated. Lastly, the Burlington Center and the HERO Center are listed as the Burlington Campus. The Kansasville Fire Training Area is listed as non-campus property for the Burlington Center.

Clery Act Reportable Crime Definitions:

Murder and Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence: the killing of another person through gross negligence.

Rape: is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim. This offense includes the rape of both males and females.

Fondling: is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: is sexual intercourse with a person who is under the statutory age of consent.

Robbery: is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: is the unlawful entry of a structure to commit a felony or theft.

Motor Vehicle Theft: is the theft or attempted theft of a motor vehicle.

Arson: is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crime: is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported: Race, Religion, Sexual Orientation, Gender Identity, Ethnicity, National Origin, and Disability. Hate crimes include any of the following offenses that are motivated by bias: Murder and Non-Negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft*, Simple Assault**, Intimidation, and Destruction/Damage/Vandalism of Property***.

*Larceny-Theft: is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

**Simple Assault: is an unlawful attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

***Damage/Damage/Vandalism of Property: is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of.

Clery Act Statistics

Criminal Offenses Reporting Table: Kenosha Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Gateway Technical College did not record any hate crimes for the years reported in the chart and had zero unfounded crimes in 2016, 2017, or 2018.

VAWA Offenses Reporting Table: Kenosha Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Domestic Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	0	0	0
	2017	1	0	0
	2018	0	0	0

Arrests and Disciplinary Referrals Reporting Table: Kenosha Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Arrests: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Weapons Violations	2016	0	0	0
	2017	1	0	0
	2018	0	0	0
Arrests: Drug Abuse Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2016	1	1	0
	2017	0	1	0
	2018	0	0	0
Arrests: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Criminal Offenses Reporting Table: Racine Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	1	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	2	0	0
	2018	1	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2015	1	0	0
	2016	1	0	0
	2017	0	0	0
Motor Vehicle Theft	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Gateway Technical College did not record any hate crimes for the years reported in the chart and had zero unfounded crimes in 2016, 2017, or 2018.

VAWA Offenses Reporting Table: Racine Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Domestic Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	1	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	3	0	0
	2017	6	0	0
	2018	2	0	0

Arrests and Disciplinary Referrals Reporting Table: Racine Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Arrests: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arrests: Drug Abuse Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2016	0	0	0
	2017	1	0	0
	2018	3	0	0
Arrests: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	4	0	0
Disciplinary Referrals: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Criminal Offenses Reporting Table: Elkhorn Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Gateway Technical College did not record any hate crimes for the years reported in the chart and had zero unfounded crimes in 2016, 2017, or 2018.

VAWA Offenses Reporting Table: Elkhorn Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Domestic Violence	2016	0	0	0
	2017	1	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Arrests and Disciplinary Referrals Reporting Table: Elkhorn Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Arrests: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arrests: Drug Abuse Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2016	0	0	0
	2017	7	0	0
	2018	0	0	0
Arrests: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Criminal Offenses Reporting Table: Burlington Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Gateway Technical College did not record any hate crimes for the years reported in the chart and had zero unfounded crimes in 2016, 2017, or 2018.

VAWA Offenses Reporting Table: Burlington Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Domestic Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Arrests and Disciplinary Referrals Reporting Table: Burlington Campus

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Arrests: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arrests: Drug Abuse Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arrests: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Criminal Offenses Reporting Table: Horizon Center

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Gateway Technical College did not record any hate crimes for the years reported in the chart and had zero unfounded crimes in 2016, 2017, or 2018.

VAWA Offenses Reporting Table: Horizon Center

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Domestic Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Arrests and Disciplinary Referrals Reporting Table: Horizon Center

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Arrests: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arrests: Drug Abuse Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arrests: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Criminal Offenses Reporting Table: SC Johnson iMET Center

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Fondling	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Incest	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Burglary	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Arson	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Gateway Technical College did not record any hate crimes for the years reported in the chart and had zero unfounded crimes in 2016, 2017, or 2018.

VAWA Offenses Reporting Table: SC Johnson iMET Center

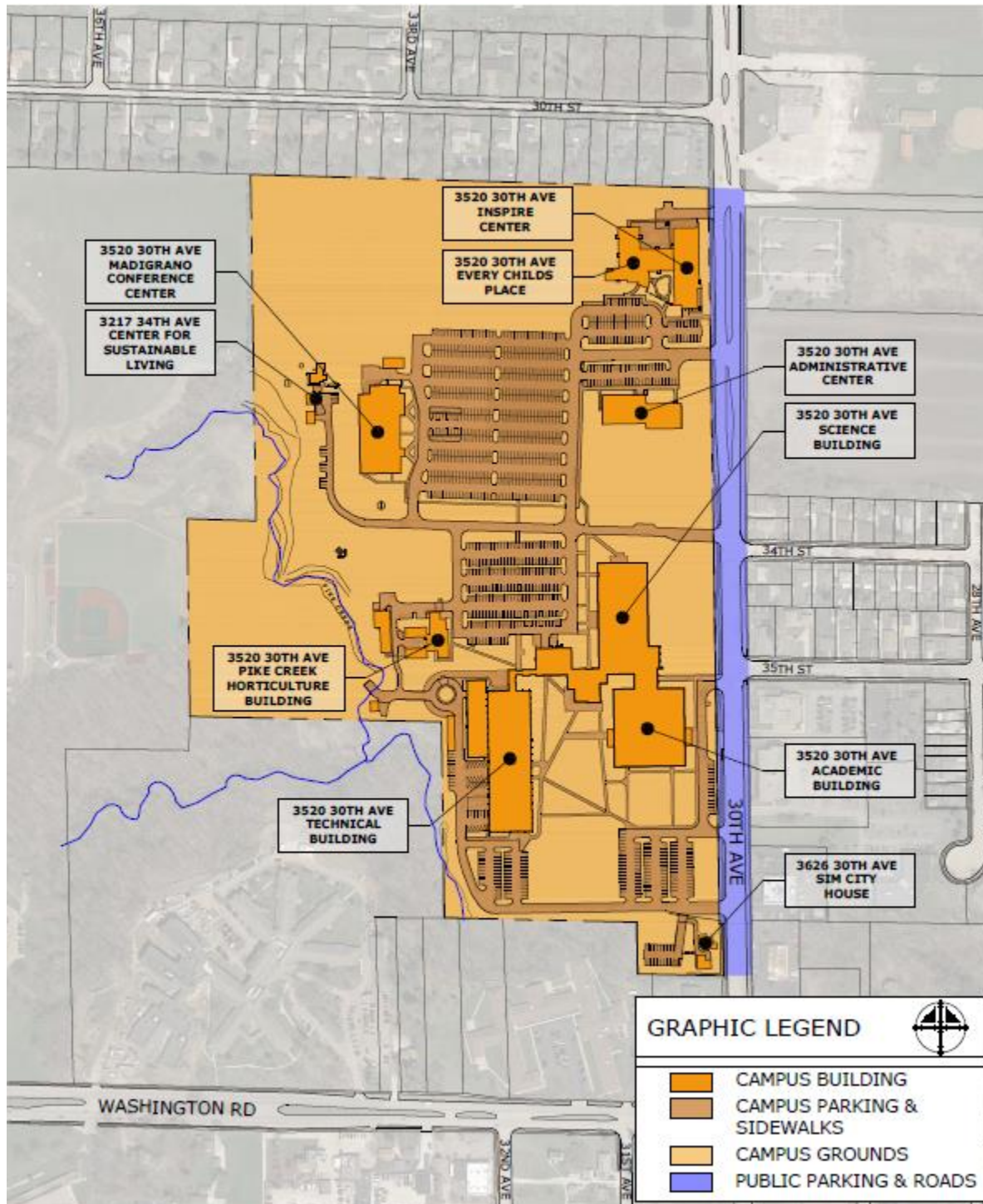
Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Domestic Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	1	0	0
	2017	0	0	0
	2018	0	0	0

Arrests and Disciplinary Referrals Reporting Table: SC Johnson iMET Center

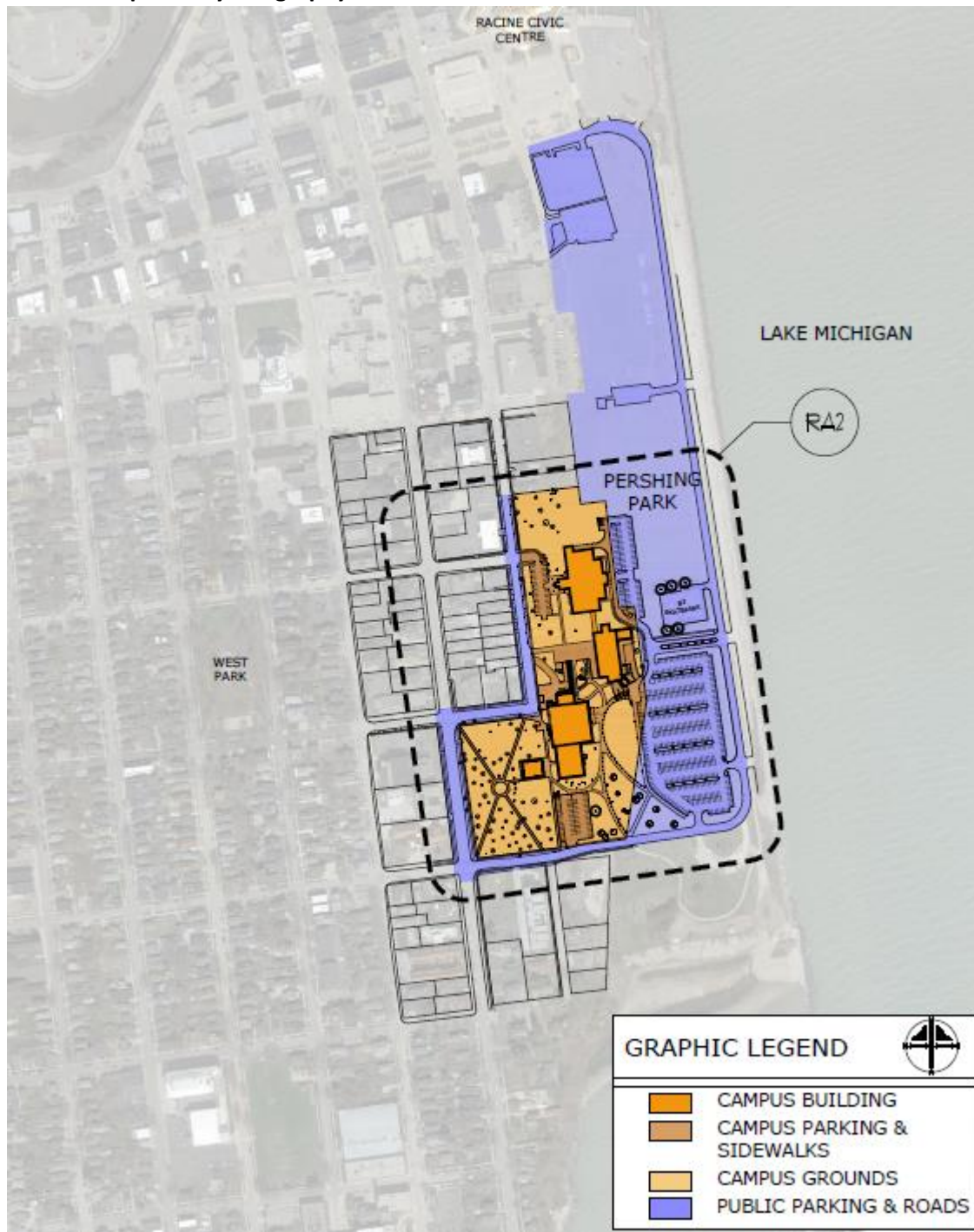
Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Arrests: Weapons Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Weapons Violations	2016	0	0	0
	2017	1	0	0
	2018	0	0	0
Arrests: Drug Abuse Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2016	1	0	0
	2017	2	0	0
	2018	0	0	0
Arrests: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Disciplinary Referrals: Liquor Law Violations	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

Campus Geography Maps

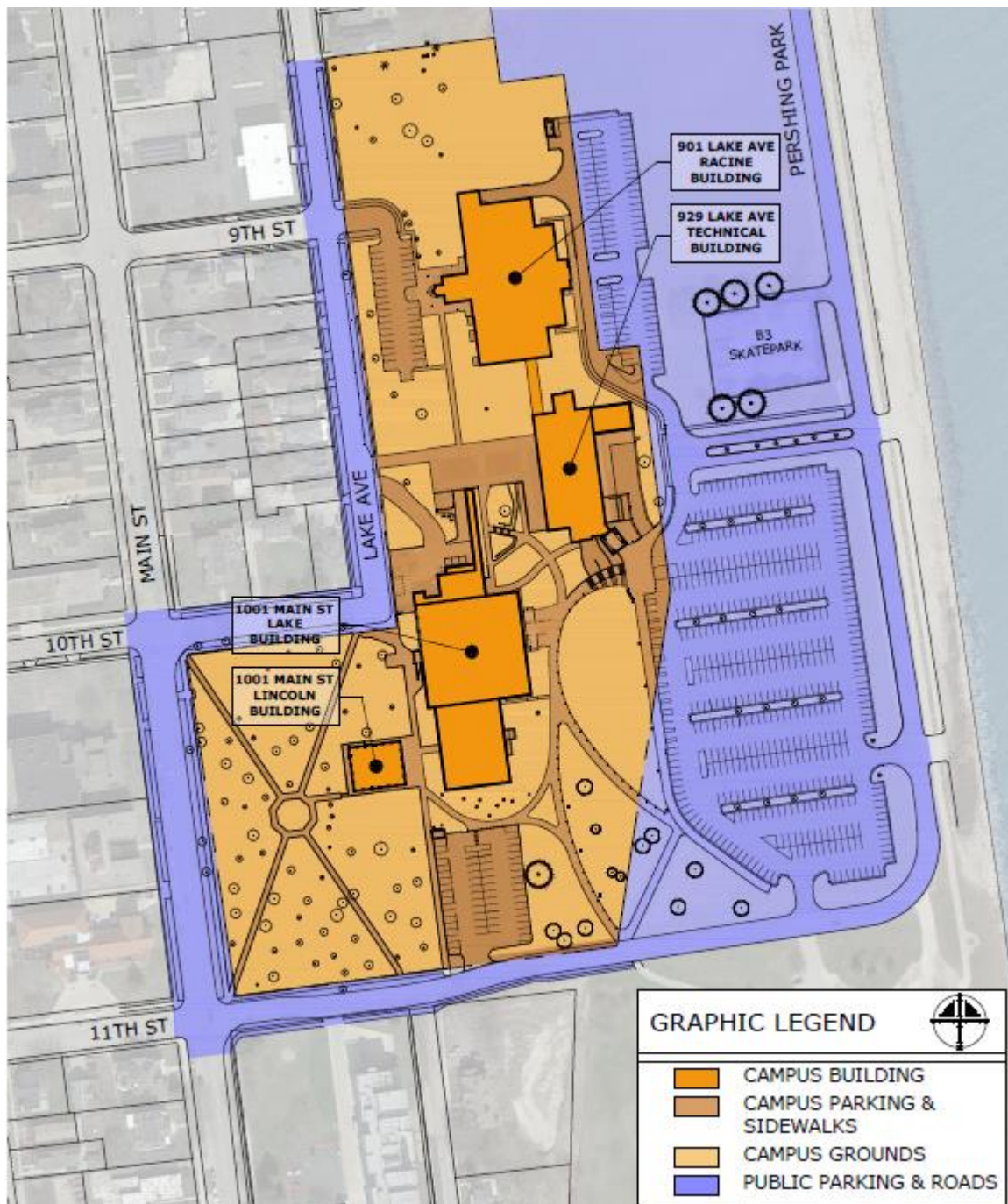
Kenosha Campus Clery Geography



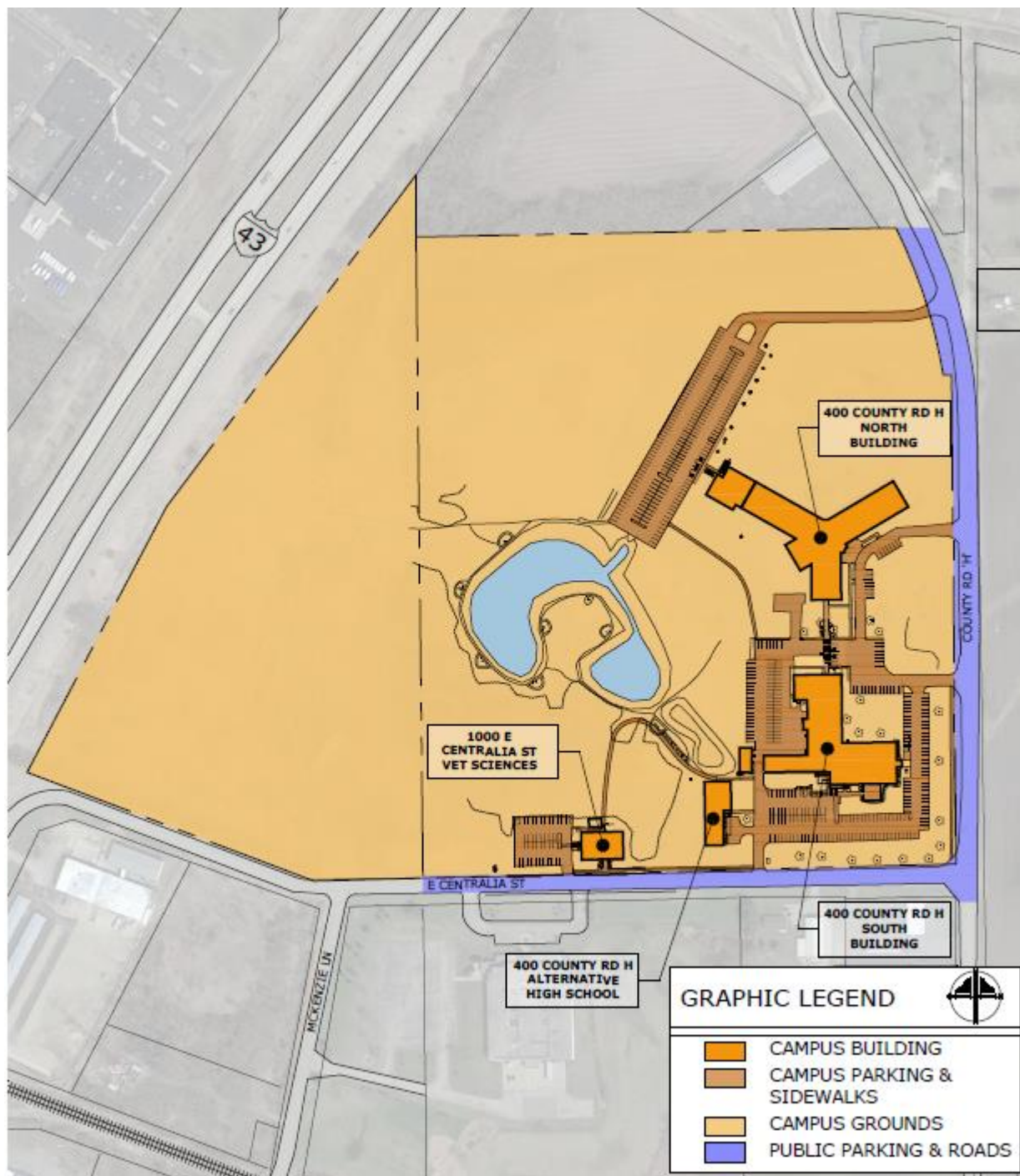
Racine Campus Clery Geography



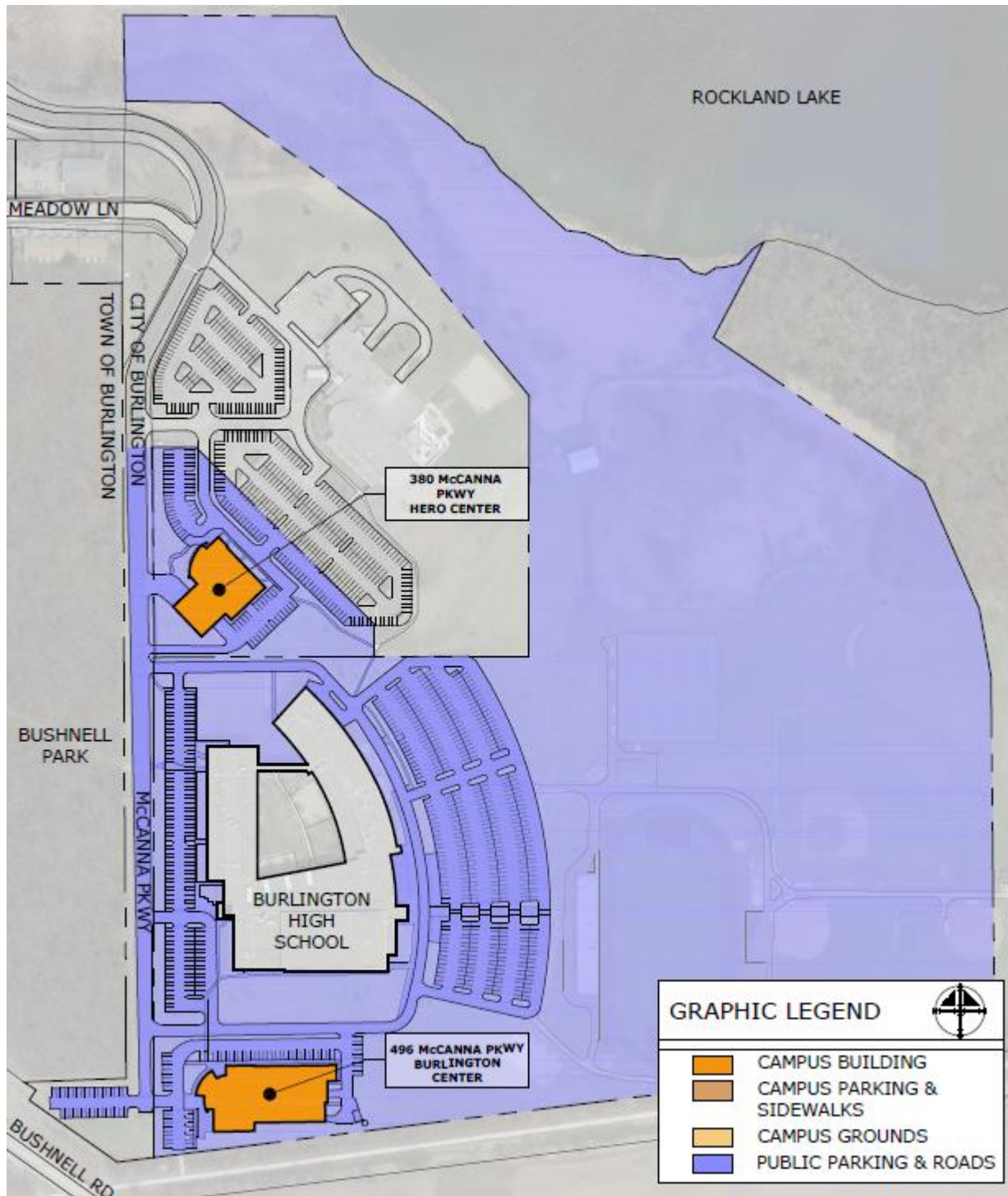
Racine Campus Clery Geography Continued



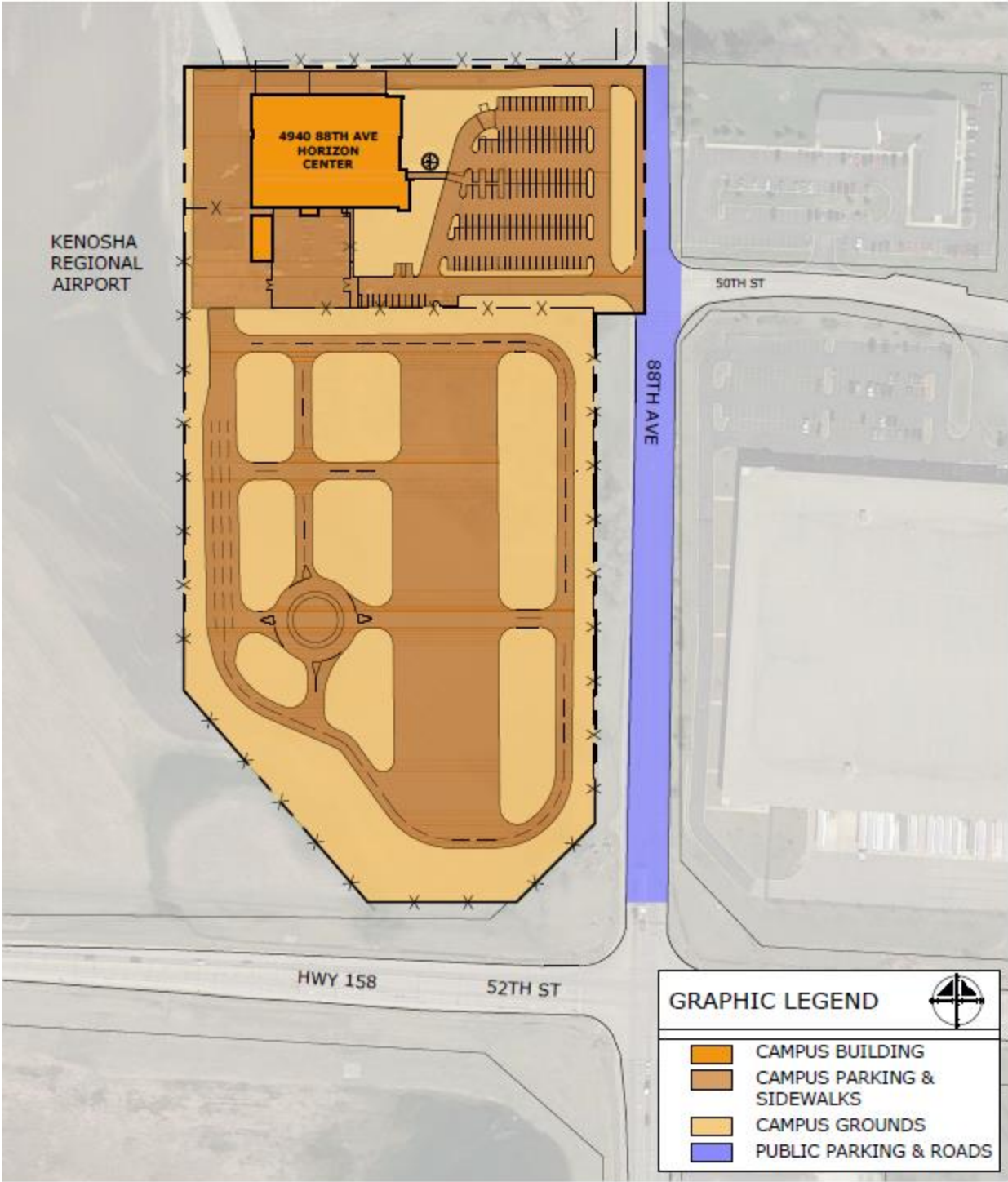
Elkhorn Campus Clery Geography



Burlington Campus Clery Geography



Horizon Center Clery Geography



SC Johnson iMET Center Clery Geography

