



# University of Wisconsin- Stevens Point

2023 Annual Security Report and Annual Fire Safety Report  
Covering calendar years 2020, 2021 and 2022

UW-Stevens Point – Stevens Point Campus, UW-Stevens Point at Marshfield,  
UW-Stevens Point at Wausau, Central Wisconsin Environmental Station, Treehaven Field Station

Published October 1, 2023

# University of Wisconsin-Stevens Point

## Annual Security Report and Annual Fire Safety Report

October 01, 2023

The University of Wisconsin- Stevens Point is committed to providing our students, faculty, staff and all of our campus community with the safest and most secure environment possible to live, work and learn. Thank you for taking the time to read the 2023 Annual Security Report (ASR) and Annual Fire Safety Report (AFSR). By familiarizing yourself with the policies, procedures, and programs available at UWSP, you are taking a significant step in protecting yourself and your community. Together we can make our campus safer.

In accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, UW-Stevens Point publishes our *Annual Security Report (ASR)* and *Annual Fire Safety Report (AFSR)* by October 1 of each year.

The *Annual Security Report* contains specific information on safety and security, crime prevention, reporting crimes, campus disciplinary procedures, state and federal laws, response to sexual violence, and crime statistics for the previous three years (2020, 2021 and 2022). The *Clery Act* requires the reporting of crime statistics that occur: (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that the institution owns or controls. The *Clery Act* also requires institutions to report the number of crimes and referrals for campus disciplinary action that occurred in on-campus student housing facilities as a subset of the total number of crimes that occurred on campus. This report includes the additional policies and statistics as required by the reauthorized Violence Against Women Act (VAWA). The *Annual Fire Safety Report* contains information about fire prevention, fire alarms and protections systems, and reports of fires for the previous three years.

Finally, this document includes information from the UW-Stevens Point [Center for Prevention](#) regarding alcohol and drug policies, health effects associated with use of alcohol and other drugs, and university education and prevention efforts. The information is shared in accordance with the requirements of the *Drug Free Schools and Communities Act*.

To learn more about UWSP's campus safety, visit our website, [Home - Police and Security Services | UWSP](#). We encourage you to use the information contained in this report to promote your own awareness and continue to promote student success.

Sincerely,  
Tony Babl- Chief of Police  
UW-Stevens Point Clery Compliance Officer

# University of Wisconsin-Stevens Point

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# University of Wisconsin-Stevens Point

## Campus and Community Resources

### Safety and Security

#### Lincoln County

##### Lincoln County Sheriff's Department (off campus)

1104 E. 1<sup>st</sup> Street, Merrill  
Non-Emergency: 715-536-6272

#### Marathon County

##### Wausau Police Department (off campus)

515 Grand Avenue, Wausau  
Non-Emergency: 715-261-7800

##### Marathon County Sheriff's Department (off campus)

500 Forest Street, Wausau  
Non-Emergency: 715-261-1200

#### Portage County

##### Stevens Point Police Department (off campus)

933 Michigan Ave., Stevens Point  
Non-Emergency: 715-346-1500  
Crime Stoppers 1-866-346-6600

##### Portage County Sheriff's Office (off campus)

1500 Strongs Ave., Stevens Point  
Non-Emergency: 715-346-1400

#### UW-Stevens Point

##### University Police and Security Services (on campus) – Stevens Point Campus

1925 Maria Drive, Stevens Point  
Lower level, George Stien Building  
Non-Emergency: 715-346-3456  
[www.uwsp.edu/protsv](http://www.uwsp.edu/protsv)

##### Office of the Dean of Students

2100 Main Street, Stevens Point  
212 Old Main, 715-346-2611  
dos@uwsp.edu  
[www.uwsp.edu/dos](http://www.uwsp.edu/dos)

##### Title IX Coordinator

2100 Main Street, Stevens Point  
133 Old Main, 715-346-2606

#### Wood County

##### Marshfield Police Department (off campus)

110 W. 1st Street, Marshfield  
Non-Emergency: 715-387-4394

##### Wood County Sheriff's Department – North Office (off campus)

1600 N. Chestnut Ave., Marshfield  
Non-Emergency: 715-389-0285

### Health

#### Lincoln County

##### Aspirus Tomahawk Hospital

401 W. Mohawk Dr., Tomahawk  
Main: 715-453-7700

#### Marathon County

##### Aspirus Wausau Hospital

333 Pine Ridge Blvd, Wausau  
Main: 715-847-2121  
Includes Sexual Assault Nurse Examiner Program

##### Marshfield Medical Center – Weston

3400 Ministry Parkway, Weston  
715-393-3000/1-800-559-9800  
Includes Sexual Assault Nurse Examiner Program

#### Portage County

##### Aspirus Plover Hospital

5409 Vern Holmes Dr., Stevens Point  
Main: 715-344-1600

##### Aspirus Stevens Point Hospital

900 Illinois Avenue, Stevens Point  
Main: 715-346-5000  
Includes Sexual Assault Nurse Examiner Program

##### Marshfield Medical Center - River Region

4100 State Highway 66, Stevens Point  
715-997-6000

##### Portage County Family Services 24-Hour Crisis Line

1-866-317-9362

#### UW-Stevens Point

##### Counseling Center – Stevens Point

910 Fremont Street, Stevens Point  
Third Floor, Delzell Hall  
715-346-3553  
Monday thru Friday: 8 a.m. to 4:30 p.m.  
[www.uwsp.edu/counseling](http://www.uwsp.edu/counseling)

##### Student Health Services – Stevens Point

910 Fremont Street, Stevens Point  
First Floor, Delzell Hall

715-346-4646

Monday through Friday: 7:45 a.m. to 4:30 p.m.

[www.uwsp.edu/stuhealth](http://www.uwsp.edu/stuhealth)

### Wood County

#### Marshfield Medical Center – Marshfield

611 N. St. Josephs Ave, Marshfield

715-387-1713/1-800-221-5240

Includes Sexual Assault Nurse Examiner Program

## Additional Campus and Community Resources

### Lincoln County

#### Household Abuse Victims Emergency Network (HAVEN)

1106 E 8<sup>th</sup> Street, Merrill

715-536-1300 (24 HRS)

### Marathon County

#### The Women’s Community

3200 Hilltop Ave., Wausau

Sexual assault and domestic abuse victim advocacy services

Office: 715-842-5663

24-HR Confident Hotline: 715-842-7323 / 888-665-1234

### Portage County

#### CAP Services, Inc.

24-hour sexual violence, domestic violence, and abuse assistance and advocacy services

- 24-Hour Line: 1-800-472-3377
  - Sexual Assault Victims Services (SAVS)
    - Office: 715-343-7114
  - Family Crisis Center
    - Office: 715-343-7125
  - Domestic Violence Intervention
    - Office: 715-343-7129, Stevens Point
- [www.capservices.org](http://www.capservices.org)

### Family Crisis Center

1616 River Drive, Stevens Point

715-343-7125; 1-800-472-3377

### Sexual Assault Victim Services, Inc. (SAVS)

1616 West River Drive, Stevens Point

Office: 715-343-7114

Crisis: 715-343-7125 or 800-472-3377

### UW-Stevens Point

#### Center for Prevention

1108 Fremont Street, Stevens Point

102 Student Services Center

715-346-2789

### Housing and Residence Life

1108 Fremont Street, Stevens Point

102 Student Services Center

715-346-3511

[www.uwsp.edu/resliving](http://www.uwsp.edu/resliving)

### Financial Aid and Veteran Services

1108 Fremont Street, Stevens Point

103 Student Services Center

715-346-4771

### Office of International Education

[Visa and immigration information]

1015 Reserve Street, Stevens Point

203 Dreyfus University Center

715-346-2717

### Wood County

#### Personal Development Center (PDC)

505 East Depot St., Marshfield

Sexual assault and domestic abuse victim advocacy services

715-384-2971/1-844-210-8899

24-HR Crisis Line: 715-384-7826

## National and Statewide Resources

**Emergency: 911**

### 988 Suicide and Crisis Lifeline

24-Hour Help Line: 988

Veteran-specific services (Dial 988 then press 1) or Text 838255

<https://988lifeline.org/>

### Alcohol Anonymous

24-Hour Help Line: 1-888-292-6677

[www.aawidistrict04.org](http://www.aawidistrict04.org)

### Hopeline (Mental health support)

Text “HOPELINE” to 741741

### Narcotics Anonymous

24-Hour Help Line: 1-866-590-2651

<https://wisconsinna.org/>

### National Center on Drug Abuse Hotline

1-800-662-HELP (4357)

### National Domestic Violence Hotline

1-800-799-SAFE (7223)

### National Sexual Assault/Online Message Service

1-800-656-HOPE (4373)

[www.rainn.org](http://www.rainn.org)

### Office of Civil Rights, US Department of Education

[DOE, Office of Civil Rights](https://www.doe.gov/office-of-civil-rights)

1-800-421-3481, TDD 800-877-8339

**The Trevor Project**

Crisis intervention & suicide prevention for LGBTQ individuals

24-Hour Help Line: 1-866-488-7386

<http://www.thetrevorproject.org>

**Trans Lifeline**

Suicide prevention hotline for transgender people specifically

877-565-8860

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# University of Wisconsin-Stevens Point Annual Security Report

## Campus Geography Terms

The *Clery Act* requires the reporting of crime statistics for the previous three years concerning crimes that occur: (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that the institution owns or controls. The *Clery Act* also requires institutions to report the number of crimes that occurred in on-campus student housing facilities as a subset of the total number of crimes that occurred on campus.

### Definition of terms

#### On-Campus

- Any building or property owned or controlled by an institution within the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- Any building or property that is within or reasonable contiguous to the area identified in first statement of this definition, that is owned by the institution but controlled by another person, is frequently used by students, or supports institutional purposes (such as food or other retail vendor).

#### Non-Campus Property

- Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonable contiguous geographic area of the institution.

#### Public Property

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

#### Separate Campus

- A location that the institution owns or controls; is not reasonably geographically contiguous with the main campus; has an organized program of study and; has at least one person on site acting in an administrative capacity. *Per this definition, UW-Stevens Point at Marshfield, UW-Stevens Point at Wausau, the Central Wisconsin Environmental Station, and the Treehaven Field Station near Tomahawk (WI) are considered separate campuses under the Clery Act.*

### Notes

1. The *Clery Act* does not require the reporting of crimes that fall outside of one of the above defined geographical categories, even if the crime involves a UW-Stevens Point student or employee.



# University of Wisconsin-Stevens Point

## Clery Act Reportable Crimes

The *Clery Act* requires the reporting of crime statistics for the previous three years concerning crimes that occur on the Clery defined geography. Definitions for Clery reportable crimes, hate crimes, and Violence Against Women Act offenses are shared here.

### Criminal Homicide, Murder and Non-Negligent Manslaughter

- The willful (non-negligent) killing of one human being by another.

### Criminal Homicide, Manslaughter by Negligence

- The killing of another person through gross negligence.

### Sex Offenses

- Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling – 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 – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory rape – Sexual intercourse with a person who is under the statutory age of consent.

### Robbery (definition includes attempted robbery)

- The taking, or attempting to take, of anything of value under confrontational circumstances from the control, custody or care of another person or persons by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

### Aggravated Assault

- Unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

### Motor Vehicle Theft

- The theft or attempted theft of a motor vehicle operating a motor vehicle without the owner's consent.

### Burglary

- Unlawful entry of a structure to commit a felony or a theft.

### Arson

- Any willful or malicious burning or attempt to burn, without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### Liquor Law Violations

- Violations of laws or ordinances prohibiting the manufacture, furnishing, sale, purchase, transportation, possession or use of alcoholic beverages. \* Liquor Law Arrests/Referrals: Underage drinking is a civil offense in the state of Wisconsin, not a criminal offense, and therefore tickets issued for underage drinking are not classified as “arrests,” and are not counted as referrals for disciplinary action as per Clery Act regulations.

### Drug Abuse/Controlled Substance Violations

- Violations of laws prohibiting the production, distribution, and/or use of controlled substances and the equipment or devices utilized in their preparation and/or use. The relevant substances include opium or cocaine and the derivatives (morphine, heroine, codeine); marijuana, synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

### Weapons Possession

- Violations of laws or ordinances dealing with weapons offenses, regulatory in nature, such as the manufacture, sale, purchase, transportation, possession, concealment, illegal carry or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons and all attempts of the aforementioned.

### Hate Crimes

- Any of the reportable Clery crimes or others that involve bodily injury, larceny/simple assault, damage/vandalism or property, or intimidation is committed against a victim who was intentionally selected because of the perpetrator’s bias, or the perpetrator perceived the person to be in one of the protected categories (race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, disability).

### Domestic Violence – Violence Against Women Act (VAWA) Offense

- Asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

### Dating Violence – Violence Against Women Act (VAWA) Offense

- Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type and frequency of interaction.

### Stalking – Violence Against Women Act (VAWA) Offense

- A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others’ safety, or to suffer substantial emotional distress.

## Referrals for Disciplinary Action per the Clery Act

The *Clery Act* also requires the reporting of the number of referrals to the campus disciplinary process for certain crimes, specifically:

- Liquor Law Violations
- Drug Abuse Violations
- Weapons Possession Violations.

Definitions for reportable crimes are the same as above. Statistics for referrals for disciplinary action do not include those arrested for a crime or for violations of only an institutional policy.

**Liquor Law Arrests/Referrals in Wisconsin:** Underage possession or drinking are civil offenses in the state of Wisconsin, not a criminal offense, and therefore tickets issued for underage drinking are not classified as “arrests,” as per Clery Act regulations. Likewise, these incidents are not counted as “disciplinary referrals” as referrals must involve alleged criminal offenses.

**Drug Law Arrests/Referrals:** Clery Act Handbook Help Desk guidance indicates that arrests or referrals for being *under the influence* of drugs are not countable offenses for Clery Act reporting purposes.

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# University of Wisconsin-Stevens Point

## Campus Site Locations

Maps outlining UW-Stevens Point *on-campus* boundaries, associated *public property*, and the *separate campuses* of Treehaven and the Central Wisconsin Environmental Station (CWES) are included below. Per the Clery Act's definition of "campus," Treehaven, CWES, and the campuses in Marshfield and Wausau qualify as separate campuses. All policy statements contained in this Annual Security Report and Fire Safety Report apply to all campuses unless otherwise indicated.

**NOTE:** UW-Stevens Point does not operate any off-campus student organization facilities.

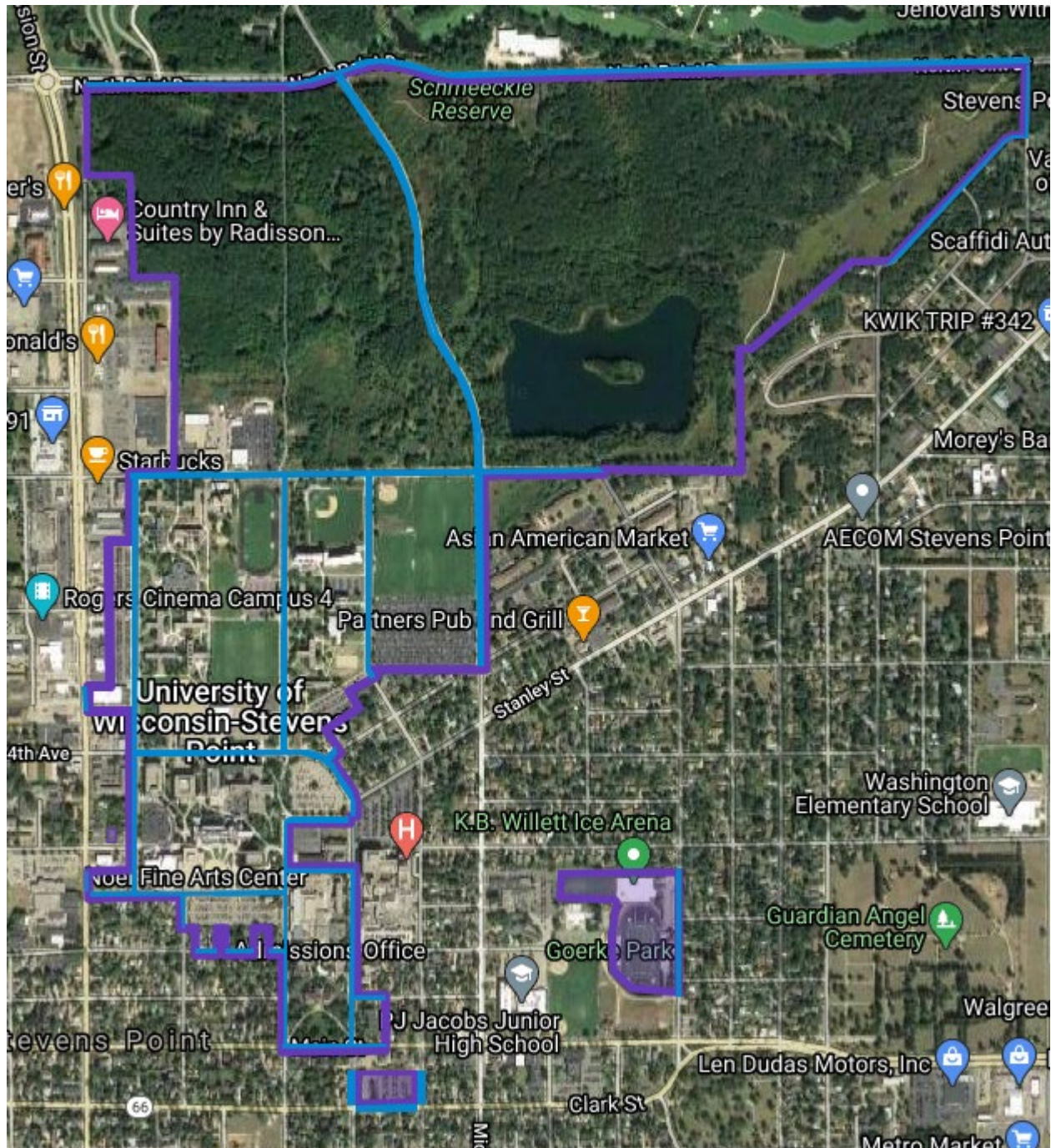
### Site Locations within Wisconsin



## University of Wisconsin-Stevens Point, Stevens Point Campus 2100 Main Street, Stevens Point, WI 54481 (Portage County)

For an online, zoomable map:

[https://drive.google.com/open?id=16G\\_Lw6PZFb\\_0o4wJfcAyCdpqeQpieT6r&usp=sharing](https://drive.google.com/open?id=16G_Lw6PZFb_0o4wJfcAyCdpqeQpieT6r&usp=sharing)



- On-campus geography for UW-Stevens Point is outlined in **purple**.
- Purple shaded areas are considered “on campus” for Clery reporting purposes (e.g., Goerke Park).
- Public properties within or adjacent to the campus are outlined in **blue**.

**Crime Statistics**  
**UW-Stevens Point, Stevens Point Campus**  
**2020,2021 and 2022 Calendar Years**

**NOTE: Unfounded crimes for UW-Stevens Point, Stevens Point campus: 2020-zero, 2021-zero, 2022-zero**

Crime	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Murder / non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	2	2	0	0	2
	2021	10	8	0	0	10
	2022	5	5	0	0	5
Fondling	2020	3	3	0	0	3
	2021	2	1	0	0	2
	2022	8	6	0	0	8
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0
	2021	2	1	0	0	2
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	4	1	0	0	4
	2022	0	0	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	1	0	0	0	1
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

## Hate Crimes

### 2020, 2021 and 2022 Calendar Years

2020: One reported hate crime.

- A crime of vandalism based on race on campus within campus residence hall.

2021: Four reported hate crimes.

- A crime of theft based on sexual orientation on campus within campus residence hall.
- A crime of vandalism based on race on campus within a campus residence hall.
- A crime of vandalism based on race on campus within a campus residence hall.
- A crime of vandalism based on sexual orientation on campus within a campus residence hall.

2022: Three Reported hate crimes

- A crime of vandalism based on race on campus within a campus residence hall.
- A crime of vandalism based on sexual orientation on campus within a campus residence hall.
- A crime of vandalism based on gender identity on campus within a campus residence hall.

## Violence Against Women Act Statistics

### 2020,2021 and 2022 Calendar Years

Type of Incident	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Domestic Violence	2020	0	0	0	0	0
	2021	0	0	0	1	1
	2022	0	0	0	0	0
Dating Violence	2020	2*	1	0	0	2
	2021	4	4	0	0	4
	2022	12	12	0	0	12
Stalking	2020	5	3	0	0	5
	2021	4	3	0	0	4
	2022	14	9	1	1	15

\* corrected value, previously published with a typographical error

**Arrests and Referrals for Disciplinary Action:  
Liquor Law, Drug Law, and Weapons Possession Violations  
UW-Stevens Point, Stevens Point Campus  
2020,2021 and 2022 Calendar Years**

Law Violation	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Liquor law violations - Arrests	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0
Liquor law violations - Disciplinary referrals	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0
Drug law violations - Arrests	2020	3	3	0	3	6**
	2021	1	1	0	0	1**
	2022	1	1	0	0	1
Drug law violations - Disciplinary referrals	2020	15	12	0	0	15**
	2021	6	6	0	0	6**
	2022	9	9	0	0	9
Weapons Possession - Arrests	2020	0	0	0	0	0
	2021	3	0	0	0	3
	2022	0	0	0	0	0
Weapons Possession - Disciplinary referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

\* See page 10 of this report, under *Referrals for Disciplinary Action per the Clery Act*, for a description of how alcohol arrests are categorized in the State of Wisconsin.

\*\* Drug Law Arrests/Referrals: Clery Act Handbook Help Desk guidance indicates that arrests or referrals for being *under the influence* of drugs are not countable offenses for Clery Act reporting purposes.



# University of Wisconsin-Stevens Point, Stevens Point Campus

## Clery Act Policy Statements and Information

### 1. Campus Law Enforcement Policies

#### 1a. Law Enforcement Authority

UW–Stevens Point University Police and Security Services is the University’s law enforcement authority for the Stevens Point campus, operating 24 hours a day in a full law enforcement capacity. They represent the first line support for emergency response, safety and security of the campus community. Sworn officers have the authority to enforce local, state, and federal laws, as well as University policies. Non-sworn security officers have the authority to enforce University policies.

#### 1b. Arrest Authority and Jurisdiction

University Police and Security Services sworn officers meet the standards of the Wisconsin Law Enforcement Standards Board and have the power to arrest and bring before the proper courts, persons violating the law on university owned or controlled property as well as in the broader community. Security officers do not have police authority, do not have the authority to arrest, and address concerns only on university owned or controlled property.

#### Crime Log

UW-Stevens Point University Police maintains a log of crimes and incidents that occur on campus and make the log accessible to the public. This crime log is available at University Police in the George Stien Building during normal business hours.

#### 1b. Relationships with Local Law Enforcement Agencies

The University Police department maintains a close working relationship with local, regional, state and federal law enforcement agencies, and all appropriate elements of the criminal justice system. UWSP Police and Security Services partners with the Stevens Point Police Department and the Portage County Sheriff’s Office to address concerns. Regular meetings are held, both on a formal and informal basis, and crime-related reports and statistics are routinely exchanged.

#### 1c. Agreements with Local Law Enforcement Agencies

A Memorandum of Understanding (MOU) exists between University Police and the City of Stevens Point Police Department outlining investigatory responsibilities of serious crimes, sharing of resources, and ongoing mutual training.

The current MOU specifies that SPPD will assist UPSS in the investigation of 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> degree sexual assaults, as defined by Wisconsin state law.

### 2. Reporting Procedures

#### 2a. Accurate and Prompt Reporting of all Crimes

UW-Stevens Point encourages all campus community members to report crimes accurately and promptly if they are victim of or witness, including when the victim elects to, or is unable to, make such a report.

## 2b. Reporting of Crimes

Crimes or other emergencies that occur on campus can be reported to the UW-Stevens Point University Police by calling 911, by calling the non-emergency number 715-346-3456, or by going to the department at 1925 Maria Drive (001 George Stien Building), Stevens Point, WI 54481.

The crimes of rape, fondling, statutory rape, or incest, as well as VAWA offenses of domestic violence, dating violent, or stalking may be reported to University Police or directly to the Title IX Coordinator at 2100 Main Street (133 Old Main Building) Stevens Point, WI 54481, 715-346-2606.

Crimes that occur off campus can be reported to the Stevens Point Police Department via the non-emergency number 715-346-1500 or by going to the department.

Students, faculty, staff, and guests are also encouraged to report crimes/violations of university policies to the Dean of Students to seek assistance for themselves or to begin an investigation: 2100 Main Street (212 Old Main) Stevens Point, Wisconsin 54481, 715-346-2611. Reports can also be made online at the Dean of Students website: <http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

Office	Contact	Location	Phone
University Police and Security Services	Tony Babl, Chief of Police	1925 Maria Drive (George Stien Building)	715-346-3456
Office of the Dean of Students	Troy Seppelt, Assistant Vice Chancellor and Dean of Students	2100 Main Street (212 Old Main)	715-346-2611
Title IX Coordinator	Eric Roesler, Director of Human Resources	2100 Main Street (133 Old Main)	715-346-2606

## 2c. Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the university conduct process or criminal justice system, you may still want to consider making a confidential report. UWSP University Police can file a report on the details of the incident without revealing your identity. You may also submit an anonymous report online through the website of the Office of the Dean of Students at: <http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a potential pattern of crime regarding 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.

## **2d. Professional and Pastoral Counselors**

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

- Professional Counselor: An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.
- UW-Stevens Point does not employ any pastoral counselors.

## **2e. Response to a Report**

Police Dispatchers are available 24 hours a day to receive calls. In response to a call, University Police will take the required action, either dispatching an officer or asking the victim to report to University Police to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record. All University Police incident reports involving students are forwarded to the Office of the Dean of Students for review and referral to the student conduct process for potential action, as appropriate. University Police will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office of the Dean of Students. If assistance is required from the Stevens Point Police Department or the Stevens Point Fire Department, University Police will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, will offer the victim a wide variety of services.

## **3. Timely Warning Procedures**

### **3a. Timely Warning Reports Regarding the Occurrence of Clery Act Crimes**

As outlined in University Police and Security Services policy 406.00, the University of Wisconsin–Stevens Point will keep the community informed about safety and security matters on campus and maintain compliance with applicable features of the Clery Act (20 USC 1092(f)).

In the event a crime is reported, or a situation arises, within the UW-Stevens Point Clery Geography (on campus, public property, or non-campus property) that, in the judgement of University Police and Security Services, and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide “timely warning” notice will be issued.

### **Timely warnings may be issued for Clery defined crimes to include:**

- Murder or Manslaughter by Negligence
- Sexual Assault
  - 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 known. In cases involving sexual assault, incidents 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 assess for potential issuance of a Timely Warning Notice.
- Robbery involving force or violence

- Cases involving pickpocketing and purse snatching will typically not result in the issuance of a timely Warning Notice but will be assessed on a case-by-case basis.
- 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 ongoing threat to the larger UW-Stevens Point community.
- Burglary
- Major Incidents of Arson
- Other crimes or situations as deemed appropriate

**Some of the considerations prior to issuing a timely warning include:**

- Nature of the crime (serious/non-serious, violent/non-violent)
- The continuing danger to the community or continuing crime pattern (yes/ no)
- The nature of the threat (general/specific target)
- The possible risk of compromising law enforcement efforts

**3b. Issuing a Timely Warning**

When UW-Stevens Point University Police becomes aware of a situation that meets the criteria for a timely warning, University Police will issue a timely warning through all-campus emails and posting on the University Police website. Timely Warning Notices will be distributed as soon as 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. For time-critical, urgent threats, the University may use the *Pointer Alert* system. Timely warning notices may include information about the type of crime, a description of the assailant(s) if known, how those with information can connect to law enforcement, and safety precautions.

Timely Warning Notices are typically written by UW-Stevens Point Chief of Police or designee. Other entities on campus learning of an incident in which a timely warning may be needed will share the information with University Police. University Police will determine if the incident meets the criteria for a timely warning.

UW-Stevens Point is not required to issue a Timely Warning with respect crimes exclusively reported to a pastoral or professional counselor.

**3c. Emergency / Immediate Notifications**

UW-Stevens Point has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

In the event of an emergency, UW-Stevens Point will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University 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.

If the UW-Stevens Point University Police staff, in conjunction with other University 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 UW-Stevens Point community, UWSP Police and Security Services will initiate, determine the content of, and determine the appropriate segment or segments of the campus community to receive the notification. UWSP Police and Security Services will use some or all of the systems described below to communicate the threat to the UW-Stevens Point community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

UW-Stevens Point will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the Stevens Point Police Department and/or Stevens Point Fire Department and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

*Pointer Alerts* is the name for UW–Steven Point’s emergency notification system. The system is designed to provide information about an active emergency that requires the community to take immediate action in order to stay safe. Students and employees are automatically entered into the Pointer Alert via their university email accounts and their cell phone information provided in accesSPoint and at MyUWSystem, presuming phone numbers have been updated within each of these separate systems by the student or employee.

Depending on the exact nature of the situation, the system may utilize one or many of the components described below:

- Text messaging: UW-Stevens Point will text subscribers to reach mobile users who may be away from their computers or offices.
- UW-Stevens Point email: UW-Stevens Point email users may receive a mass e-mail warning message.
- Personal email: Students, faculty, and staff can add a personal email address.
- Campus network computers: The campus community is alerted to a concern via a full-screen pop-up.
- Face-to-Face communication may be used in addition to the methods described above.
- Campus webpages (banner at top)

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

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 UW-Stevens Point social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus UW-Stevens Point will follow its emergency notification procedures and provide follow-up information to the community as it is needed. The institution is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. 34 CFR 668.46(e)(3)

Students, faculty, and staff are encouraged to update their contact information or learn more about the Pointer Alerts at <http://www.uwsp.edu/rmgt/Pages/em/pointer-alerts/default.aspx>.

#### **4. Emergency Response and Evacuation Procedures**

##### **4a. Oversight**

The Office of Emergency Management provides the UW-Stevens Point campus with leadership and direction in the areas of emergency preparedness; individual, team, and campus leadership training; and incident response and recovery.

Emergency procedures, including the Emergency Operations Plan for UW-Stevens Point, are located on the office website: <https://www.uwsp.edu/emergency/Pages/emergency-procedures.aspx>

The purpose of the Emergency Operations Plan is to provide guidelines for the preparation for, prevention of, response to, and recovery from natural or induced campus emergencies. An Emergency Planning Team meets as necessary to evaluate campus readiness and plan for improved responses to possible emergency situations. This team is led by the institution's Emergency Management Specialist and will oversee and evaluate emergency response training on campus.

In most cases, University Police serves as UW-Stevens Point incident command. Any member of the Emergency Operations Team may request activation of the Emergency Operations Center (EOC) via the designated EOC Manager. The EOC Manager will assemble and lead an Emergency Operations Team (EOT) comprised of specialized personnel specific to the event. The EOT shall:

- Determine the type and magnitude of the campus emergency
- Determine how the team will meet and communicate internally
- Implement the Emergency Operations Plan
- Assess and implement all necessary response steps to ensure safety, health, and promote effective recovery
- Determine necessary resources for response, including outside assistance as needed
- Coordinate necessary actions and resources throughout campus and with outside organizations
- Appoint specialized resource teams/leaders and delegate assignments
- Notify UW-System Administration and Wisconsin Department of Administration of an emergency and status
- Serve as Crisis Communication Team and implement Emergency Communications Plan
- Consult with the Chancellor on steps to preserve and maintain operational integrity
- In the recovery phase, debrief, evaluate response, and advise improvements to the Chancellor's Office and Emergency Planning Team
- Delegate any needed response to appropriate UW-Stevens Point staff.

##### **4b. System Tests**

In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as tabletop 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. The campus conducts at least two tests of the *Pointer Alert* system annually. The tests are assess based on how well they conform to EOC and campus goals. A description of the test, the exercise, the date, time, and whether it was announced or unannounced is recorded with Emergency Management. These reports are retained in accordance with the institution's records retention policies.

#### **4c. Emergency Evacuation Procedures**

The emergency evacuation procedures for residence halls are tested at least twice each year and other facilities annually. 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. UW-Stevens Point 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, University Police or other 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 UW-Stevens Point 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.

#### **General Evacuation Procedures**

Evacuation from buildings may be required due to emergencies such as fire, chemical spill, bomb or other threats, terrorism, or during other immediate safety and health crisis. Supervisors, Faculty, Department Heads, Managers, and other staff must advise their employees, visitors, and students on evacuation procedures.

Be familiar with all exit locations of buildings you frequent prior to an emergency. Never ignore an evacuation alarm. To do so puts your life and responding emergency personnel lives in extreme danger. It is your responsibility to evacuate and is also required by Wisconsin law. Violators will be fined.

In the event of a fire or other event (e.g., chemical spill) requiring building evacuation:

- Pull a fire alarm and leave the building. Notify others to the nature and location of emergency on your way out. Remain calm and do not panic, proceed calmly to the exterior, and never push others. If the exit is blocked or crowded, use a secondary exit.
- If time permits, shut down any hazardous equipment or processes.
- Provide assistance to those with special needs, if able. If not able, reassure them that you will send help. Provide their location to emergency responders.
- Evacuate the building using stairs and closest exit. Do not use an elevator during fires.
- From a safe location and distance, dial 9-1-1 and call University Police at 715-346-3456 with information about the emergency and its location. Note: When a fire alarm is pulled, University Police receives an electronic alarm signal stating location of the incident.
- Once evacuated, move away from the building a minimum of 100 yards and go to your designated meeting location. Ensure you are accounted for by your Supervisor, Hall Director, or Faculty. Follow directions of fire, police, and University Police. If you are aware of an individual unable to self-evacuate or in need of medical care, immediately call 9-1-1 and tell the dispatcher the exact location of the person(s). Expanded evacuation may be required depending on the hazards present. Follow directions.
- For individuals with disabilities, see [Evacuations of People with Disabilities](#) webpage for applicable instructions.
- The individual that pulled the alarm and/or persons with information regarding stranded occupants or other emergency details must notify responding emergency personnel.

- Do not reenter the building until authorized by emergency command personnel.
- If you observe staff or students not taking an alarm seriously, please encourage them to do so. It may save their life and will reduce the risks to responding emergency personnel.

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

If an incident occurs and the buildings or areas around you become unsafe, 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 you are in a building where an incident occurs, and it is safe to do so, 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 University 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, University Police and Security Services, University Communications and Marketing, Housing and Residence Life staff, other University employees, a community law enforcement agency, or other authorities utilizing the University’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:

- 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.
- Locate a room to shelter inside. It should be:
  - An interior room 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.
- Shut and lock all windows and close exterior doors.
- Document the people with you and your location. Provide the list to law enforcement upon request.
- Monitor your phone or computer for updated Pointer Alert instructions.
- Remain calm and be alert for additional instructions.

## **5. Addressing Criminal Activity at Non-Campus Locations**

The Stevens Point Police Department (SPPD) has primary jurisdiction in all non-campus locations. SPPD routinely works with UW-Stevens Point University Police and the Dean of Students office on any serious incidents occurring at non-campus locations when a UW–Stevens Point student is involved in accordance with UWS Chapter 17. UW-Stevens Point does not operate any non-campus student organization or housing facilities outside of the core campus.



## **6. Security and Access to Campus Facilities**

Chapter UWS 21, Wisconsin Administrative Code, and institutional policies on file in the Office of the Vice Chancellor for Business Affairs, govern general access to and use of the facilities at UW–Stevens Point is governed by campus or community members.

Security is provided to university facilities through a number of mechanisms, including limitations on hours of operation, enforced policies on key allocation, restricting access to those bearing proper identification as university staff or students, interior and exterior cameras, the provision of adequate lighting, plus exterior emergency “blue light” and interior “red phone” telephone call stations that are connected directly to UW-Stevens Point University Police for emergency assistance. Examples are the Marshfield Clinic Health System Champions Hall, the Allen Center, and the Dreyfus University Center. Specific security mechanisms may vary with the type of university facility and are managed by the appropriate administrator of each facility. Emergencies may necessitate changes or alterations to any posted schedules.

During normal business hours, the administrative and academic facilities at UW-Stevens Point are open and accessible to students, faculty, staff, and visitors of the university. After normal business hours and during breaks, facilities are locked and only accessible to authorized individuals. University Police sworn and security officers conduct routine security and safety patrols of the academic and administrative buildings to monitor conditions and report any unusual circumstances.

Residence hall doors are locked 24 hours per day and only accessible to current residents with an access card.

## **7. Security Considerations Used in the Maintenance of Campus Facilities**

On an annual basis, administrators from University Police and Security Services, Facilities, Housing and Residence Life, and other concerned areas conduct a campus security survey to assess landscaping, locks, alarms, lighting, and communications. Issues identified during the security survey are addressed by the department responsibility for the facility or area of campus.

## **8 Security Awareness Programs for Students and Employees**

### **University Police and Security Services**

University Police offer annual trainings on personal safety, emergency response, and how to respond to active violence. Their website, [www.uwsp.edu/protsv](http://www.uwsp.edu/protsv), includes information about crime prevention information, educational videos (such as: *Shots Fired on Campus* and *Flashpoint on Campus*), and timely warnings are provided on the website.

### **Office of the Dean of Students**

Dean of Students staff provides outreach presentations and information to students, faculty and staff regarding incident reporting, services available, and community rights and responsibilities. Additional presentations by university staff and community agencies surrounding topics of alcohol and other drugs, safety, and security, monitoring of the physical environment by University Police, crime prevention, sexual diseases, sexual assault and harassment are provided throughout the year. The Office Dean of Students also publishes student policies, located on the Dean of Students Office website: <http://www.uwsp.edu/dos>

**Housing and Residence Life**

Housing and Residence Life professional and student staff participate in regular training programs to remain knowledgeable in their positions. Educational programming opportunities (both passive and active) are provided by residence hall staff throughout the academic year. All students living in the residence halls receive the Residential Living Handbook. This document can be found on the Residential Living website:

<https://www3.uwsp.edu/residential-living/Documents/PDF/RLhandbook.pdf>

**University Centers**

Student organization officers are required to attend mandatory bi-annual re-recognition training in order to remain recognized as an active student organization. Officers receive a Student Organization Handbook and this document is published on the Campus Activities and Student Engagement website:

<https://www.uwsp.edu/centers/CASE> Advisers to these organizations are trained upon appointment as a new adviser and every three years after.

Social fraternities and sororities send representatives to workshops on risk management, alcohol and hazing. These students receive information about risk factors for Greek leaders, liability reduction and creating safer communities. Greek leaders have the opportunity to attend the Association of Fraternal Leadership and Values and National Black Greek Leadership Conference.

**Threat Assessment Team**

The team is charged with assessing and responding to situations where a student, faculty, staff, or visitor poses a threat to other individuals. Members of the team include representatives from Dean of Students, University Police, Housing and Residence Life, Counseling Center, and the Campus Executives from both the Marshfield and Wausau branch campuses.

**General Crime Prevention Tips:**

- Call the police IMMEDIATELY if you see or hear something suspicious. Don't hesitate to dial 911 in an emergency. Be sure to tell them exactly where you are.
- Keep your possessions in sight at all times. Don't leave computers, cell phones, other mobile devices unattended.
- If you leave your office or room, even for a few minutes, lock the door.
- Be alert to potential danger.
- Practice situational awareness.
- Trust your instincts.
- Walk with friends whenever possible or use Campus Cab (free service). If jogging, walking or biking alone, stay in well-lit and well-traveled areas.
- Shred documents you discard that contain personal information.

**Protective Behaviors:**

Victims of sexual assault or other violent crime are NOT responsible for being assaulted. All community members can take protective measures to increase their personal safety and the safety of others.

- When going to a party or a bar, let a friend or roommate know who you are with and where you will be. Leave an address and your phone number with them.

- Go out in groups and ask one member of the group to be the “Designated Friend” (like a Designated Driver) who checks in with members of the group throughout the night.
- Be wary of anyone who does not respect your boundaries around alcohol. Alcohol is the most commonly used predatory drug, otherwise known as a “date rape” drug.
- Do not put your drink down or let someone else get it for you. Colorless, odorless and tasteless drugs are used to facilitate rape or other crimes and can render a victim defenseless and powerless.
- If you see something unsafe, say something. Safety is everyone’s responsibility.

**Safety at home:**

Inspect your home or contact your landlord to ensure that you:

- Have lights in all entrances
- Have working locks on the entrances to buildings and individual apartments
- Have locks on the windows and alternate entrances such as balcony doors
- Have working smoke detectors
- Have working carbon monoxide detectors on each floor

**Additional Tips:**

- Don’t put your first name on your mailbox. (ex., J. Doe - not Jane Doe)
- Do not prop open the outside door of a building.
- Always know who is at your door before opening it.

**Campus Emergency and Courtesy Telephones**

Throughout campus there are emergency, courtesy, and Code Blue telephones. Each phone connects directly to UW-Stevens Point University Police. Code Blue telephones are found in various outdoor locations across campus, and each has a blue light at the top of the kiosk. Additionally, each campus building has courtesy and/or emergency phones. If the phone has a dial pad, call 911 or 9-911. All emergency phones are labeled “Emergency Phone.”

**9. Alcohol and Drug Policies and Programs****9a. Alcohol and Drug Policies**

The University of Wisconsin System and UW-Stevens Point prohibit the unlawful possession, use, distribution, manufacture, sale, or dispensing of alcohol and illegal drugs by students and employees on university property or as part of university activities. It is illegal to procure for, sell, dispense, or give away alcohol to anyone who has not reached the legal drinking age of 21 years, and is unaccompanied by a parent, spouse, or guardian who has reached the legal drinking age of 21 years. It is illegal for anyone who has not reached the legal drinking age of 21 years and is unaccompanied by a parent, spouse, or guardian who has reached the legal drinking age of 21 years to procure, possess, or consume alcoholic beverages, subject to exceptions.

UW-Stevens Point and University Police enforce all local, state, and federal laws regarding the possession, use, distribution, manufacture, sale, or dispensing of alcoholic beverages on institution property and at UW-Stevens Point sponsored activities, including underage drinking. UW-Stevens Point, and University Police enforce all local, state, and federal laws regarding the possession, use, distribution, manufacture, sale, or dispensing of illegal drugs on institutional property and [institution]-sponsored activities. UW-Stevens Point expects all students, employees, and visitors to comply with all local, state, and federal alcohol and drug laws. Members of the UW-Stevens Point

community who violate local, state, or federal drug and alcohol laws, or who violate UW-Stevens Point or UW-System policies regarding drug and alcohol sale, use, or possession may face criminal and/or disciplinary sanctions.

UWS 18.09(1), Wisconsin Administrative Code, prohibits the use or possession of alcoholic beverages on all university premises except as specifically permitted by institutional regulations. [Institution] has developed specific institutional regulations to permit the use and possession of alcoholic beverages by individuals above the minimum legal drinking age. Students and employees who fail to comply with [institution] regulations are subject to disciplinary action.

This policy covers the possession or consumption of alcoholic beverages by any individual on institutional lands, at institutional facilities, and at all institutional events. This policy is applicable to events held both on and off campus, including those held in other municipalities, states, and nations.

Violation of alcohol and drugs laws or policies by a student may lead to the imposition of a disciplinary sanction, up to and including suspension or expulsion, under s. UWS 17.10, Wis. Adm. Code. Alcohol and drug education programs are utilized as a conduct sanction for alcohol policy violations committed by [institution] students. For alcohol misuse, students may be referred to appropriate intervention programs to address high risk drinking practices among college students. For marijuana use, students may be referred to appropriate intervention programs to identify harm reduction strategies or minimize use. For drug or alcohol violations, students may also be required to alcohol or drug abuse assessments with a licensed clinician. Student organizations or groups violating alcohol and drug policy, or laws may also be subject to discipline by UW-[institution] consistent with the [Registered Student Organization Code of Conduct]. Violations of local, state or federal laws may result in civil forfeitures or criminal prosecution.

University employees are also subject to disciplinary sanctions for violation of [institution] policies and of local, state and federal drug and alcohol laws occurring on university property or the worksite or during work time or in the course of their employment, up to and including termination from employment. Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, as set forth in Wisconsin statutes, administrative rules, faculty and academic staff policies, and university staff policies and procedures. Referral for prosecution under criminal law is also possible. In addition, violations of ss. UWS 18.06(13) and 18.10(1), Wis. Adm. Code may result in additional penalties as allowed under ch. UWS 18, Wis. Adm. Code.

### **UWS Chapter 17: Student Non-Academic Misconduct**

UWS Chapter 17 is a part of the University of Wisconsin Administrative Code and was adopted by the Board of Regents as a set of disciplinary procedures for the University of Wisconsin System. It defines conduct by students that may result in university discipline and also describes the sanctions which may be imposed and the procedures for carrying out disciplinary actions. Due process for students accused of misconduct is an important part of these procedures. (Note: Academic misconduct is covered in UWS Chapter 14. UWS Chapters 17 and 18 apply to nonacademic student misconduct; faculty and academic staff are governed by UWS Chapters 4, 7, and 11.)

Nonacademic misconduct policies cover a broad spectrum of conduct involving students' behavior wherever it takes place. A student may be subject to discipline for conduct that is or already has been the subject of criminal

action. This means that a student ticketed or arrested by law enforcement may also be subject to misconduct proceedings.

The Chapter 17 process guarantees the following rights:

- Proceedings will be prompt, fair and impartial.
- Proceedings will be conducted by officials who receive, at minimum, annual training on issues related to sexual assault, domestic violence, dating violence and/or stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- A hearing examiner or committee findings of misconduct will be based on a preponderance of the evidence standard.
- The complainant will have the same opportunity as the respondent to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the support person of their choice.
- UW-Stevens Point will not limit the choice of support person or presence of support person for either the respondent or the complainant in any meeting or institutional disciplinary proceeding; however, UW-Stevens Point may establish restrictions regarding the extent to which the support person may participate in the proceedings that apply equally to both parties.
- The complainant and respondent will receive simultaneous notification of:
  - The result of any institutional disciplinary proceeding that arises from an allegation of sexual assault, domestic violence, dating violence and/or stalking.
  - UW-Stevens Point procedures for the complainant and respondent to appeal the result, if available.
  - Any change to the result.
  - When the result becomes final.
- Proceedings will be completed with reasonably prompt timeframes and will include a process that allows for extension of the frames for good cause with written notice to the complainant and respondent of the delay and reason for delay.
- The complainant and respondent will be provided timely notice of any meeting at which the respondent or complainant or both may be present.
- The complainant, respondent and appropriate officials will be provided timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings.
- Proceedings will be conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.

## Chapter UWS 17

### STUDENT NONACADEMIC DISCIPLINARY PROCEDURES

The University of Wisconsin “Student Nonacademic Disciplinary Procedures,” Chapter UWS 17 of the Wisconsin Administrative Code, Rules of the Board of Regents of the University of Wisconsin System, were adopted in January 1976, and revised September 1996, September 2009, September 2013, July 2016, August 2020.

***Additional statements for the University of Wisconsin-Stevens Point are indicated in this document in BOLDFACE and ITALICIZED type. These added statements, in conjunction with Chapter UWS 17, constitute Chapter UWS 17.***

UWS 17 applies to enrolled students at the Marshfield, Stevens Point, and Wausau campuses of the University of Wisconsin-Stevens Point, to include all field station locations and all programs regardless of their location. Links below reference Chapter UWS 17 and other statutes.

#### Subchapter I — General

- UWS 17.01 Policy statement.
- UWS 17.02 Definitions.
- UWS 17.03 Consistent institutional policies.
- UWS 17.04 Notice to students.
- UWS 17.05 Designation of investigating officer.
- UWS 17.06 Nonacademic misconduct hearing examiner.
- UWS 17.07 Nonacademic misconduct hearing committee.
- UWS 17.08 Nonacademic misconduct occurring on or outside of university lands.
- UWS 17.085 Disciplinary sanctions.

#### Subchapter II - Procedures for Student Nonacademic Discipline in Nonsexual Misconduct Cases

- UWS 17.09 Conduct subject to disciplinary action.
- UWS 17.11 Disciplinary procedure.
- UWS 17.12 Hearing.
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#### Subchapter III — Procedures for Student Nonacademic Discipline in Sexual Misconduct Cases

- UWS 17.151 Sexual misconduct subject to disciplinary action under ss. [UWS 17.152](#) to [17.156](#).
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#### Subchapter IV — Effect of Discipline, Petitions for Restoration, and Emergency Suspension

- UWS 17.16 Effect of discipline within the institution.
- UWS 17.17 Effect of suspension or expulsion within the university system.
- UWS 17.18 Petition for restoration of rights after suspension or expulsion.
- UWS 17.19 Emergency suspension.

### Subchapter I — General

**UWS 17.01 Policy statement.** The missions of the University of Wisconsin System and its individual institutions can be realized only if the university's teaching, learning, research and service activities occur in living and learning environments that are safe and free from violence, harassment, fraud, theft, disruption and intimidation. In promoting such environments, the university has a responsibility to address student nonacademic misconduct; this responsibility is separate from and independent of any civil or criminal action resulting from a student's conduct. This chapter defines nonacademic misconduct, provides university procedures for effectively addressing misconduct, and offers educational responses to misconduct. The University of Wisconsin System is committed to respecting students' constitutional rights. Nothing in this chapter is intended to restrict students' constitutional rights, including rights of freedom of speech or to peaceably assemble with others.

**UWS 17.02 Definitions.** In this chapter:

- (1) "Chief administrative officer" means the chancellor of an institution or the chancellor's designees.  
*At UW-Stevens Point, the Chief administrative officer for conduct is the Dean of Students or their designee.*
- (2) "Clear and convincing evidence" means information that would persuade a reasonable person to have a firm belief that a proposition is more likely true than not true. It is a higher standard of proof than "preponderance of the evidence."
- (2m) "Complainant" means any individual who is alleged to be the subject of sexual misconduct, as defined in s. [UWS 17.151](#).
- (2r) "Consent" means words or overt actions by a person who is competent to give informed consent, indicating a freely given agreement to engage in sexual activity or other activity referenced in the definitions of sexual assault and sexual exploitation in s. [UWS 17.151](#). A person is unable to give consent if the person is in a state of incapacitation because of drugs, alcohol, physical or intellectual disability, or unconsciousness.
- (3) "Days" means calendar days.
- (4) "Delivered" means sent by electronic means to the student's official university email address and, in addition, provided by any of the following methods:
  - (a) Given personally.
  - (b) Placed in the student's official university mailbox.
  - (c) Mailed by regular first-class United States mail to the student's current address as maintained by the institution.
- (5) "Disciplinary file" means the record maintained by the student affairs officer responsible for student discipline.
- (6) "Disciplinary probation" means a status in which a student may remain enrolled in the university only upon the condition that the student complies with specified standards of conduct or other requirements or restrictions on privileges, for a specified period of time, not to exceed two years.
- (7) "Disciplinary sanction" means any action listed in s. [UWS 17.085 \(1\)](#) taken in response to student nonacademic misconduct.
- (7m) "Education program or activity" means, for purposes of Title IX misconduct only, locations, events, or circumstances over which the university exercised substantial control over both the respondent and the context in which the relevant misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the university.
- (8) "Expulsion" means termination of student status with resultant loss of all student rights and privileges.
- (8m) "Formal Title IX complaint" means, for the purposes of Title IX misconduct only, a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment, sexual assault, dating violence, domestic violence, or stalking against a student and requesting that the institution investigate the allegations. At the time of filing of the formal Title IX complaint, the complainant shall be participating in or attempting to participate in an educational program or activity. A formal Title IX complaint may be filed in

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

- (9) "Hearing examiner" means an individual, other than the investigating officer, appointed by the chief administrative officer in accordance with s. [UWS 17.06 \(2\)](#) for the purpose of conducting a hearing under s. [UWS 17.12](#) or [17.153](#).
- (9m) "Incapacitation" means the state of being unable to physically or mentally make informed rational judgments and effectively communicate, and may include unconsciousness, sleep, or blackouts, and may result from the use of alcohol or other drugs. Where alcohol or other drugs are involved, evaluation of incapacitation requires an assessment of how the consumption of alcohol or drugs affects a person's decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness. The assessment is based on objectively and reasonably apparent indications of incapacitation when viewed from the perspective of a sober, reasonable person.
- (10) "Institution" means any university, or an organizational equivalent designated by the board.
- (11) "Investigating officer" means an individual, or the individual's designee, appointed by the chief administrative officer of each institution, to conduct investigations of nonacademic misconduct under this chapter.
- (12) "Nonacademic misconduct hearing committee" or "committee" means the committee appointed pursuant to s. [UWS 17.07](#) to conduct hearings under s. [UWS 17.12](#) or [17.153](#).
- (12m) "Party" refers to a respondent or complainant involved in a disciplinary procedure under subch. III.
- (13) "Preponderance of the evidence" means information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than "clear and convincing evidence" and is the minimum standard for a finding of responsibility under this chapter.
- (13m) "Respondent," means any student who was registered for study in an institution for the academic period, or between academic periods for continuing students, when the misconduct occurred and has been reported to have violated s. [UWS 17.09](#) or [17.151](#).
- (14) "Student" means any person who is registered for study in an institution for the academic period in which the misconduct occurred, or between academic periods, for continuing students.
- (15) "Student affairs officer" means the dean of students, student affairs officer, or other personnel designated by the chief administrative officer to coordinate disciplinary hearings and carry out duties described in this chapter.
- (16) "Suspension" means a loss of student status for a specified length of time, not to exceed two years, with resultant loss of all student rights and privileges.
- (17) "University lands" means all real property owned by, leased by, or otherwise subject to the control of the Board of Regents of the University of Wisconsin System.

**UWS 17.03 Consistent institutional policies.** Each institution is authorized to adopt policies consistent with this chapter. A copy of such policies shall be filed with the Board of Regents and the University of Wisconsin System office of academic affairs.

**UWS 17.04 Notice to students.** Each institution shall publish ch. [UWS 17](#) on its website and shall make ch. [UWS 17](#) and any institutional policies implementing ch. [UWS 17](#) freely available to students through the website or other means.

**UWS 17.05 Designation of investigating officer.** The chief administrative officer of each institution shall designate an investigating officer or officers for allegations of student nonacademic misconduct. The investigating officer shall investigate student nonacademic misconduct and initiate procedures for nonacademic misconduct under s. [UWS 17.11](#) or [17.152](#). For allegations involving sexual misconduct, as defined in s. [UWS 17.151](#), the Title IX Coordinator or designee shall serve as the investigating officer.



**UWS 17.06 Nonacademic misconduct hearing examiner.**

- (1) The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the designation of a student nonacademic misconduct hearing examiner to fulfill the responsibilities of the nonacademic misconduct hearing examiner in this chapter.
- (2) A hearing examiner shall be selected by the chief administrative officer pursuant to the policies adopted under sub. (1).

**UWS 17.07 Nonacademic misconduct hearing committee.**

- (1) The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student nonacademic misconduct hearing committee to fulfill the responsibilities of the nonacademic misconduct hearing committee in this chapter.
- (2) A student nonacademic misconduct hearing committee shall consist of at least three persons, including at least one student, except that no such committee shall be constituted with a majority of members who are students. The presiding officer, who may be the hearing examiner designated pursuant to s. [UWS 17.06](#), shall be appointed by the chief administrative officer. The presiding officer and at least one other member shall constitute a quorum at any hearing held pursuant to due notice.

**UWS 17.08 Nonacademic misconduct occurring on or outside of university lands.**

- (1) MISCONDUCT ON UNIVERSITY LANDS. Except as provided in s. [UWS 17.08 \(2\)](#), the provisions contained in this chapter shall apply to the student conduct described in ss. [UWS 17.09](#) and [17.151](#) that occurs on university lands or at university-sponsored events.
- (2) MISCONDUCT OUTSIDE OF UNIVERSITY LANDS. The provisions contained in this chapter may apply to the student conduct described in ss. [UWS 17.09](#) and [17.151](#) that occurs outside of university lands only when, in the judgment of the investigating officer, the conduct adversely affects a substantial university interest. In determining whether the conduct adversely affects a substantial university interest, the investigating officer shall consider whether the conduct meets one or more of the following conditions:
  - (a) The conduct constitutes or would constitute a serious criminal offense, regardless of the existence of any criminal proceedings.
  - (b) The conduct indicates that the student presented or may present a danger or threat to the health or safety of the student or others.
  - (c) The conduct demonstrates a pattern of behavior that seriously impairs the university's ability to fulfill its teaching, research, or public service missions.

**UWS 17.085 Disciplinary sanctions.**

- (1) The disciplinary sanctions that may be imposed for nonacademic misconduct, in accordance with the procedures of ss. [UWS 17.11](#) to [17.13](#), and [17.152](#) to [17.154](#), are any of the following:
  - (a) A written reprimand.
  - (b) Denial of specified university privileges.
  - (c) Payment of restitution.
  - (d) Educational or service sanctions, including community service.
  - (e) Disciplinary probation.
  - (f) Imposition of reasonable terms and conditions on continued student status.
  - (g) Removal from a course in progress.
  - (h) Enrollment restrictions on a course or program.
  - (i) Suspension.

(j) Expulsion.

- (2) One or more of the disciplinary sanctions listed in sub. (1) may be imposed for an incident of nonacademic misconduct.
- (3) Disciplinary sanctions shall not include the termination or revocation of student financial aid; however, this shall not be interpreted as precluding the individual operation of rules or standards governing eligibility for student financial aid under which the imposition of a disciplinary sanction could result in disqualification of a student for financial aid.

## **Subchapter II - Procedures for Student Nonacademic Discipline in Nonsexual Misconduct Cases**

**UWS 17.09 Conduct subject to disciplinary action.** In accordance with s. [UWS 17.08](#), the university may discipline a student for engaging in, attempting to engage in, or assisting others to engage in any of the following types of nonacademic misconduct. Conduct defined in s. [UWS 17.09](#) shall use the disciplinary procedure, hearing, appeal, and settlement processes detailed in ss. [UWS 17.11](#) to [17.15](#). However, at the university's discretion, conduct defined in s. [UWS 17.09](#), when arising out of the same facts and circumstances as sexual misconduct defined in s. [UWS 17.151](#), may be consolidated with such charges and addressed with the disciplinary procedure, hearing, appeal, and settlement processes detailed in ss. [UWS 17.152](#) to [17.156](#).

- (1) DANGEROUS CONDUCT. Conduct that endangers or threatens the health or safety of oneself or another person.
- (4) HARASSMENT. Conduct defined in s. [947.013](#), Stats.
- (5) HAZING. Conduct defined in s. [948.51](#), Stats.
- (6) ILLEGAL USE, POSSESSION, MANUFACTURE, OR DISTRIBUTION OF ALCOHOL OR CONTROLLED SUBSTANCES. Use, possession, manufacture, or distribution of alcoholic beverages or of marijuana, narcotics, or other controlled substances, except as expressly permitted by law or university policy.
- (7) UNAUTHORIZED USE OF OR DAMAGE TO PROPERTY. Unauthorized possession of, use of, moving of, tampering with, damage to, or destruction of university property or the property of others.
- (8) DISRUPTION OF UNIVERSITY-AUTHORIZED ACTIVITIES. Conduct that obstructs or impairs university-run or university-authorized activities, or that interferes with or impedes the ability of a person to participate in university-run or university-authorized activities.
- (9) FORGERY OR FALSIFICATION. Unauthorized possession of or fraudulent creation, alteration, or misuse of any university or other governmental document, record, key, electronic device, or identification.
- (10) MISUSE OF COMPUTING RESOURCES. Conduct that involves any of the following:
  - (a) Failure to comply with laws, license agreements, and contracts governing university computer network, software, and hardware use.
  - (b) Use of university computing resources for unauthorized commercial purposes or personal gain.
  - (c) Failure to protect a personal password or university-authorized account.
  - (d) Breach of computer security, invasion of privacy, or unauthorized access to university computing resources.

***For more information regarding Information Technology policies, please refer to:  
[www.UWSP.edu/it/about/policies](http://www.UWSP.edu/it/about/policies)***

- (11) FALSE STATEMENT OR REFUSAL TO COMPLY REGARDING A UNIVERSITY MATTER. Making a knowingly false oral or written statement to any university employee or agent of the university regarding a university matter, or refusal to comply with a reasonable request on a university matter.
- (12) VIOLATION OF CRIMINAL LAW. Conduct that constitutes a criminal offense as defined by state or federal law.
- (13) SERIOUS AND REPEATED VIOLATIONS OF MUNICIPAL LAW. Serious and repeated off-campus violations of municipal law.
- (14) VIOLATION OF CH. UWS 18. Conduct that violates Ch. [UWS 18](#), including, but not limited to, provisions regulating fire safety, theft, and dangerous weapons.

- (15) VIOLATION OF UNIVERSITY RULES. Conduct that violates any published university rules, regulations, or policies, including provisions contained in university contracts with students.
- (16) NONCOMPLIANCE WITH DISCIPLINARY SANCTIONS. Conduct that violates a sanction, requirement, or restriction imposed in connection with previous disciplinary action.
- Failure to comply with requirements of a university assigned sanction will result in a finding of responsibility for 17.09(14), the charge and outcome being added to the original disciplinary case, and a Dean of Students hold being placed on the student's university account. The student will be notified of the 17.09(14) outcome, placement of the hold, and reminded of the previous sanctions so they can resolve the issue. Once the student completes the sanction requirements, the disciplinary hold will be lifted.***
- (20) RETALIATION. Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured in ss. [UWS 17.152](#) to [17.156](#), or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under ss. [UWS 17.152](#) to [17.156](#).

### **UWS 17.11 Disciplinary procedure.**

- (1) PROCESS. The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. [UWS 17.085 \(1\)](#) for conduct defined in s. [UWS 17.09](#).
- (2) CONFERENCE WITH RESPONDENT. When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly contact the respondent in person, by telephone, or by electronic mail to offer to discuss the matter, review the investigating officer's basis for believing that the respondent engaged in nonacademic misconduct, and to afford the respondent an opportunity to respond. If the respondent fails to respond to the investigating officer, the investigating officer may proceed to decide on the basis of the available information.
- (3) DETERMINATION BY THE INVESTIGATING OFFICER THAT NO DISCIPLINARY SANCTION IS WARRANTED. If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic misconduct did not in fact occur, or that no disciplinary sanction is warranted under the circumstances, the matter shall be considered resolved without the necessity for further action. The investigating officer shall notify the respondent.
- (4) PROCESS FOLLOWING DETERMINATION BY THE INVESTIGATING OFFICER THAT NONACADEMIC MISCONDUCT OCCURRED.
- (a) If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic misconduct did occur and that one or more of the disciplinary sanctions listed under s. [UWS 17.085 \(1\)](#) should be recommended, the investigating officer shall prepare a written report which shall contain all of the following:
1. A description of the alleged misconduct.
  2. A description of all information available to the university regarding the alleged misconduct.
  3. Specification of the sanction sought.
  4. Notice of the respondent's right to a hearing.
  5. A copy of this chapter and of the institutional procedures adopted to implement this section.
- (b) The written report shall be delivered to the respondent.
- (c) A respondent who receives a written report under this section has the right to a hearing under s. [UWS 17.12](#) to contest the determination that nonacademic misconduct occurred, the choice of disciplinary sanctions, or both.
1. Where the disciplinary sanction sought is one of those listed in s. [UWS 17.085 \(1\) \(a\) to \(g\)](#), and if the respondent desires a hearing, the respondent shall file a written request with the student affairs officer within 10 days of the date the written report is delivered to the respondent. If the respondent does not request a hearing within this period, the determination of nonacademic misconduct shall be regarded as final, and the disciplinary sanction sought shall be imposed.

2. Where the disciplinary sanction sought is one of those listed in s. [UWS 17.085 \(1\) \(h\) to \(j\)](#), the investigating officer shall forward a copy of the written report under par. (b) to the student affairs officer. The student affairs officer shall, upon receipt of the written report, proceed under s. [UWS 17.12](#) to schedule a hearing on the matter. A hearing shall be conducted unless the respondent waives, in writing, the right to such a hearing.

### **UWS 17.12 Hearing.**

- (1) A respondent who requests a hearing, or for whom a hearing is scheduled under s. [UWS 17.11 \(4\) \(c\) 2.](#), for conduct defined in s. [UWS 17.09](#), shall have the right to decide whether the matter shall be heard by a hearing examiner or a hearing committee.
- (2) If a respondent requests a hearing under s. [UWS 17.11 \(4\) \(c\) 1.](#), or a hearing is required to be scheduled under s. [UWS 17.11 \(4\) \(c\) 2.](#), the student affairs officer shall take the necessary steps to convene the hearing and shall schedule it within 15 days of receipt of the request or written report. The hearing shall be conducted within 45 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the respondent and investigating officer, or is ordered or permitted by the hearing examiner or committee.
- (3) No less than 5 days in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide the respondent with access to or copies of the investigating officer's explanation, together with any other materials provided to the hearing examiner or committee by the investigating officer, including any additional available information of the type described in s. [UWS 17.11 \(4\) \(a\) 2.](#)
- (4) The hearing shall be conducted in accordance with the following guidance and requirements:
  - (a) The hearing process shall further the educational purposes and reflect the university context of nonacademic misconduct proceedings. The process need not conform to state or federal rules of criminal or civil procedure, except as expressly provided in ch. [UWS 17](#).
  - (b) The respondent shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on the respondent's own behalf, and the right to be accompanied by an advisor of the respondent's choice. The advisor may be a lawyer. In cases where the recommended disciplinary sanction is identified in s. [UWS 17.085 \(1\) \(a\) to \(h\)](#), the advisor may counsel the respondent but may not directly question adverse witnesses, present information or witnesses, or speak on behalf of the respondent except at the discretion of the hearing examiner or committee. In cases where the recommended disciplinary sanction is identified in s. [UWS 17.085 \(1\) \(i\) or \(j\)](#), or where the respondent has been charged with a crime in connection with the same conduct for which the disciplinary sanction is sought, the advisor may question adverse witnesses, present information and witnesses, and speak on behalf of the respondent. In accordance with the educational purposes of the hearing, the respondent is expected to respond on the respondent's own behalf to questions asked of the respondent during the hearing.
  - (c) The hearing examiner or committee:
    1. Shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or unduly repetitious testimony.
    2. Shall observe recognized legal privileges.
    3. May take reasonable steps to maintain order, and to adopt procedures for the questioning of a witness appropriate to the circumstances of that witness's testimony, provided, however, whatever procedure is adopted, the respondent is allowed to effectively question the witness.
  - (d) The hearing examiner or committee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of the exhibits offered at the hearing. The respondent may access the record, except as may be precluded by applicable state or federal law.

- (e) The hearing examiner or committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.
- (f) A hearing examiner's or committee's finding of nonacademic misconduct shall be based on one of the following:
  - 1. Clear and convincing evidence, when the sanction to be imposed is one of those listed in s. [UWS 17.085 \(1\) \(h\) to \(j\)](#).
  - 2. A preponderance of the evidence, when the sanction to be imposed is one of those listed in s. [UWS 17.085 \(1\) \(a\) to \(g\)](#).
- (g) The hearing examiner or committee may impose one or more of the disciplinary sanctions listed in s. [UWS 17.085 \(1\) \(a\) to \(g\)](#) that differs from the recommendation of the investigating officer. Sanctions under s. [UWS 17.085 \(1\) \(h\) to \(j\)](#) may not be imposed unless previously recommended by the investigating officer.
- (h) The hearing shall be conducted by the hearing examiner or committee, and the university's case against the respondent shall be presented by the investigating officer or the investigating officer's designee.
- (i) The decision of the hearing examiner or committee shall be prepared within 14 days of the hearing, and delivered to the respondent, excluding information that may be precluded by state or federal law. The decision shall become final within 14 days of the date on the written decision unless an appeal is taken under s. [UWS 17.13](#).
- (j) If the respondent fails to appear at a scheduled hearing and to proceed, the hearing examiner or committee may issue a decision based upon the information provided.
- (k) Disciplinary hearings are subject to s. [19.85](#), Stats., Wisconsin Open Meetings of Governmental Bodies, and may be closed if the respondent requests a closed hearing or if the hearing examiner or committee determines it is necessary to hold a closed hearing. Deliberations of the committee shall be held in closed session, in accordance with s. [19.85](#), Stats. As such, proper notice and other applicable rules shall be followed.

**UWS 17.13 Appeal to the *UW-STEVENS POINT CHIEF ADMINISTRATIVE OFFICER*.**

- (1) For conduct defined in s. [UWS 17.09](#), where the sanction prescribed by the hearing examiner or committee is one of those listed in s. [UWS 17.085 \(1\) \(h\) to \(j\)](#), the respondent may appeal in writing to the chief administrative officer within 14 days of the date of the written decision to review the decision of the hearing examiner or committee, based upon the record.
- (3) The chief administrative officer has 30 days from receipt of an appeal to respond and shall sustain the decision unless the chief administrative officer finds any of the following:
  - (a) The information in the record does not support the findings or decision.
  - (b) Appropriate procedures were not followed which resulted in material prejudice to the respondent.
  - (c) The decision was based on factors proscribed by state or federal law.
- (4) If the chief administrative officer makes a finding under sub. (3), the chief administrative officer may return the matter for consideration, or may invoke an appropriate remedy of the chief administrative officer's own. The chief administrative officer's decision shall be communicated to the respondent.

**UWS 17.14 Discretionary appeal to the Board of Regents.** For conduct defined in s. [UWS 17.09](#), institutional decisions under ss. [UWS 17.11 to 17.13](#) shall be final, except that the board of regents may, at its discretion, grant a review upon the record, upon written request submitted by the respondent within 14 days of the final institutional decision.

**UWS 17.15 Settlement.** For conduct defined in s. [UWS 17.09](#), the procedures set forth in this chapter allow the university and a respondent to enter into a settlement agreement regarding the alleged misconduct, after proper notice has been given. Any such agreement and its terms shall be in writing and signed by the

respondent and the investigating officer or student affairs officer. The case is concluded when a copy of the signed agreement is delivered to the respondent.

### **Subchapter III — Procedures for Student Nonacademic Discipline in Sexual Misconduct Cases**

**UWS 17.151 Sexual misconduct subject to disciplinary action under ss. UWS 17.152 to 17.156.** In accordance with s. [UWS 17.08](#), the university may discipline a student for engaging in, attempting to engage in, or assisting others to engage in any of the following types of nonacademic misconduct. Sexual misconduct, as defined in this section, shall use the disciplinary procedure, hearing, appeal, and settlement processes detailed in ss. [UWS 17.152](#) to [17.156](#).

- (1) SEXUAL HARASSMENT.** Conduct on the basis of sex that satisfies any of the following:
  - (a)** Unwelcome conduct of a sexual nature directed towards a student, an employee, or a person participating in an education program or activity of the university that when using the legal “reasonable person” standard, is so severe, pervasive, and objectively offensive that it effectively denies the person equal access to the institution's education program or activity.
  - (b)** Unwelcome conduct of a sexual nature directed towards an individual that, when using the legal “reasonable person” standard, is so severe or pervasive and objectively offensive that it has the purpose or effect of unreasonably interfering with an individual's academic or work performance or participation in a university sponsored or supported activity.
- (2) SEXUAL ASSAULT.** An offense that meets any of the following definitions:
  - (a) Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant.
  - (b) Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of age or because of temporary or permanent mental incapacity.
  - (c) Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law as per s. [944.06](#), Stats.
  - (d) Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent as per s. [948.02](#), Stats.
- (3) DATING VIOLENCE.** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- (4) DOMESTIC VIOLENCE.** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a persons who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Wisconsin, or by any other person against an adult or youth individual who is protected from that person's acts under the domestic or family violence laws of Wisconsin as per ss. [813.12 \(1\) \(am\)](#) and [968.075](#), Stats.
- (5) STALKING.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.
- (6) SEXUAL EXPLOITATION.** Attempting, taking or threatening to take nonconsensual sexual advantage of another person. Examples include:
  - (a)** Engaging in any of the following conduct without the knowledge and consent of all participants:
    - 1.** Observing, recording, or photographing private body parts or sexual activity of one or more complainants.
    - 2.** Allowing another person to observe, record, or photograph sexual activity or private body parts of one or more complainants.

3. Otherwise distributing recordings, photographs, or other images of the same of one or more complainants.
- (b) Masturbating, touching one's genitals, or exposing one's genitals in complainant's presence without the consent of complainant, or inducing another person to do the same.
- (c) Dishonesty or deception regarding the use of contraceptives or condoms during the course of sexual activity.
- (d) Inducing incapacitation through deception for the purpose of making another person vulnerable to non-consensual sexual activity.
- (e) Coercing the complainant to engage in sexual activity for money or anything of value.
- (f) Threatening distribution of any of the following, to coerce the complainant into sexual activity or providing money or anything of value:
  1. Photos, videos, or recordings depicting private body parts or sexual activity of one or more persons.
  2. Other information of a sexual nature, including sexual history or sexual orientation.

### **UWS 17.152 Sexual misconduct disciplinary procedure.**

- (1) PROCESS. The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. [UWS 17.085 \(1\)](#), for sexual misconduct defined in s. [UWS 17.151](#), and conduct described in s. [UWS 17.09](#) may be consolidated with sexual misconduct charges pursuant to this section and consistent with s. [UWS 17.08](#). When responding to sexual misconduct, the university may take the following actions:
  - (a) The university may consolidate disciplinary procedures as to allegations of sexual misconduct, as defined in s. [UWS 17.151](#), against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual misconduct arise out of the same facts or circumstances.
  - (b) In consultation with the complainant, the university may choose to address allegations of sexual misconduct with non-disciplinary measures outside the procedures of this chapter. Non-disciplinary measures may include supportive measures and protective measures for complainant, which may or may not involve the respondent.
- (2) TITLE IX MISCONDUCT. Either a complainant or the Title IX Coordinator may file the formal Title IX complaint as defined in s. [UWS 17.02 \(8m\)](#). Unless a formal Title IX complaint is dismissed under par. (a) or (b), sexual misconduct under this section shall also be considered "Title IX misconduct" and require associated process. Dismissals will be handled as follows:
  - (a) The university shall dismiss a formal Title IX complaint that does not meet all of the following requirements:
    1. The alleged conduct is on the basis of sex and meets the definitions of sexual harassment, as defined in s. [UWS 17.151 \(1\) \(a\)](#), or sexual assault, dating violence, domestic violence, or stalking, as defined in s. [UWS 17.151 \(2\) to \(5\)](#).
    2. The alleged conduct occurred within a university "education program or activity," as defined in s. [UWS 17.02 \(7m\)](#).
    3. The alleged conduct occurred against the complainant while in the United States.
    4. The complainant is participating in or attempting to participate in the university's education program or activity at the time the complaint is filed.
  - (b) The university may dismiss a formal Title IX complaint if any of the following conditions are met at any time during the disciplinary procedure or hearing:
    1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal Title IX complaint or any allegations therein.
    2. The respondent is no longer enrolled in the university.

- 3.** Specific circumstances prevent the university from gathering evidence sufficient to reach a determination as to the formal Title IX complaint or allegations therein.
- (c)** Upon dismissal of a formal Title IX complaint, the university shall promptly send written notice of the dismissal and reason therefore simultaneously to the complainant and respondent. The complainant and respondent have the right to appeal the dismissal of a formal Title IX complaint under s. [UWS 17.154 \(1\)](#).
- (d)** Dismissal of a formal Title IX complaint does not preclude other university action under this chapter.
- (3)** NOTICE OF INVESTIGATION. When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly distribute a written notice of investigation in person, by telephone or by electronic mail, to the complainant and respondent. The notice of investigation shall include all of the following:
- (a)** The details known at the time of issuing notice, including:
- 1.** The identities of the complainant and respondent involved in the incident, if known.
  - 2.** The conduct allegedly constituting sexual misconduct.
  - 3.** The date and location of alleged incident, if known.
- (b)** Notice to the complainant and respondent that they may have an advisor of their choice, who may be an attorney.
- (c)** Notice to the complainant and respondent that they may inspect and review evidence collected during the investigation.
- (d)** Notice that making a knowingly false statement or refusing to comply regarding a university matter may violate s. [UWS 17.09 \(11\)](#) and could result in additional sanctions.
- (e)** Notice that the respondent is presumed not responsible for the alleged sexual misconduct until a determination regarding responsibility is made at the conclusion of the disciplinary procedure.
- (f)** Notice if the sexual misconduct disciplinary procedure also involves Title IX misconduct.
- (g)** Information about the nonacademic misconduct process available under this chapter and about any available informal resolution process.
- (h)** If, during the course of an investigation, the university decides to investigate allegations that are not included in the notice of investigation, the university shall send an amended notice of investigation with additional allegations.
- (4)** INVESTIGATION. During the investigation, the investigating officer shall do all of the following:
- (a)** Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- (b)** Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- (c)** Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; the university may, however, establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- (d)** Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- (e)** Not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains that party's voluntary, written consent to do so for a grievance process under this section.



- (5) **REVIEW OF EVIDENCE.** Prior to completion of the final investigative report, as described in sub. (6), the university shall provide the complainant and respondent and their advisors, if any:
- (a) The evidence gathered during the university's investigation that is directly related to the allegations of sexual misconduct, in an electronic format or hard copy, regardless of whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. This shall include information upon which the university does not intend to rely in reaching a determination regarding responsibility as well as any inculpatory or exculpatory evidence.
  - (b) At least 10 days to submit a written response to the evidence, which the investigator shall consider prior to completion of the final investigative report.
- (6) **FINAL INVESTIGATIVE REPORT.** The investigator shall create an investigative report that fairly summarizes relevant evidence. The final investigative report may contain recommended determinations as to whether sexual misconduct occurred and specification of any sanction recommended. The final investigative report shall be delivered simultaneously to the respondent and complainant and their advisors, if any, for their review and response at least 10 days prior to a hearing. Upon distribution of the final investigative report to the complainant and respondent, the following conditions shall apply:
- (a) The complainant and respondent have the right to a hearing under s. [UWS 17.153](#) for a formal determination as to whether sexual misconduct occurred, potential disciplinary sanctions, or both.
  - (b) The university shall proceed under s. [UWS 17.153](#) to schedule a hearing on the matter. A hearing shall be conducted unless the complainant and respondent waive, in writing, the right to such a hearing or otherwise voluntarily choose to proceed with a settlement agreement or informal resolution under s. [UWS 17.156](#).

#### **UWS 17.153 Sexual misconduct hearing.**

- (1) The university shall have the right to decide whether a hearing examiner or hearing committee shall hear the matter.
- (2) The university shall take the necessary steps to convene the hearing and shall schedule it within 15 days of the distribution of the final investigative report. The hearing shall be conducted within 45 days of the distribution of the final investigative report, unless a different time period is mutually agreed upon by the complainant, respondent and university or is ordered or permitted by the hearing examiner or committee.
- (3) No less than 10 days in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, the final investigative report and any additional available information of the type described in s. [UWS 17.152 \(4\)](#).
- (4) The hearing shall be conducted in accordance with all of the following guidance and requirements:
- (a) The hearing process shall further the educational purposes and reflect the university context of nonacademic misconduct proceedings. The process need not conform to state or federal rules of criminal or civil procedure, except as expressly provided in this chapter.
  - (b) Both the complainant and respondent shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on their own behalf, and the right to be accompanied by an advisor of their choice. The advisor may be a lawyer. In accordance with the educational purposes of the hearing, the complainant and respondent are expected to respond on their own behalf to questions asked of them during the hearing.
  - (c) The hearing examiner or committee:
    1. Shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or unduly repetitious testimony.
    2. May not permit questions and evidence about the complainant's sexual predisposition or prior sexual behavior unless:
      - a. Such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or



result of the appeal. If no appeal is filed, the decision regarding responsibility becomes final once the last date to appeal passes.

- (10) Disciplinary hearings are subject to s. 19.85, Stats., Wisconsin Open Meetings of Governmental Bodies, and may be closed if the respondent or complainant requests a closed hearing or if the hearing examiner or committee determines it is necessary to hold a closed hearing. Deliberations of the committee shall be held in closed session, in accordance with s. 19.85, Stats. As such, proper notice and other applicable rules shall be followed.

#### **UWS 17.154 Appeal to the chancellor for sexual misconduct.**

- (1) The respondent or complainant may appeal in writing to the chief administrative officer within 14 days of the date of the written decision for a review, based on the record, of the following:
  - (a) A dismissal of a formal Title IX complaint.
  - (b) The written decision of the hearing examiner or committee.
- (2) The chief administrative officer has 30 days from receipt of an appeal to respond in writing simultaneously to both the complainant and respondent and shall sustain the decision unless the chief administrative officer finds any of the following:
  - (a) The information in the record does not support the findings or decision.
  - (b) A procedural irregularity affected the outcome of the matter.
  - (c) The decision was based on factors proscribed by state or federal law.
  - (d) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter.
  - (e) The Title IX Coordinator, investigator, hearing examiner, or a member of the hearing committee had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- (3) If the chief administrative officer makes a finding under sub. (2), the chief administrative officer may return the matter for consideration, or may invoke an appropriate remedy of their own. The chief administrative officer's written decision describing the result of the appeal and the rationale for the result shall be communicated simultaneously to the respondent and complainant.
- (4) When an appeal is filed, the chief administrative officer shall notify the other party in writing and give both the complainant and respondent a reasonable, equal opportunity to submit a written statement supporting or challenging the outcome.

**UWS 17.155 Discretionary appeal to the Board of Regents for sexual misconduct.** University decisions under ss. UWS 17.152 to 17.154 shall be final, except that the board of regents may, at its discretion, grant a review upon the record, upon written request submitted by any party within 14 days of the final university decision. If the board of regents grants a review upon the record, it shall:

- (1) Notify the other party in writing and give both the complainant and respondent a reasonable, equal opportunity to submit a written statement supporting or challenging the outcome.
- (2) Issue a written decision describing the result of the appeal and the rationale for the result and provide the written decision simultaneously to both the complainant and respondent.

#### **UWS 17.156 Settlement for sexual misconduct.**

- (1) The procedures set forth in this chapter allow the university, the respondent, and the complainant to voluntarily enter into a settlement agreement or informal resolution regarding the alleged misconduct, any time after the notice of investigation has been distributed to the complainant and respondent and prior to any final determination regarding responsibility. Any such agreement and its terms shall be in writing and

signed by the complainant, respondent, and the Title IX Coordinator or designee except in any of the following circumstances:

- (a) There is no identified complainant.
  - (b) The complainant has chosen not to participate in proceedings pursuant to this subchapter.
  - (c) Title IX misconduct is involved, and the complainant has withdrawn the formal Title IX complaint.
- (2) In the circumstances described in sub. (1), the agreement and its terms may be signed by only the respondent and the Title IX Coordinator or designee. The case is concluded when a copy of the signed agreement is delivered to the complainant, if any, and respondent. At any time prior to agreeing to a resolution, either party has the right to withdraw from the settlement process and resume the process under ss. [UWS 17.152](#) to [17.155](#).

#### **Subchapter IV — Effect of Discipline, Petitions for Restoration, and Emergency Suspension**

**UWS 17.16 Effect of discipline within the institution.** A respondent who, at the time of commencement, is subject to a continuing disciplinary sanction under s. [UWS 17.085 \(1\)](#) or unresolved disciplinary charges as a result of a report under s. [UWS 17.11](#) or [17.152](#), shall not be awarded a degree during the pendency of the sanction or disciplinary proceeding.

**UWS 17.17 Effect of suspension or expulsion within the university system.**

- (1) Suspension or expulsion shall be systemwide in effect and shall be noted on an individual's transcript, with suspension noted only for the duration of the suspension period.
- (2) An individual who is suspended from one institution in the University of Wisconsin System may not enroll in another institution in the system until the suspension has expired by its own terms, except as provided in s. [UWS 17.18](#).
- (3) An individual who is expelled from one institution in the University of Wisconsin System may not enroll in another institution in the system, except as provided in s. [UWS 17.18](#).
- (4) An individual who is in a state of suspension or expulsion from the university under this chapter, or who leaves or withdraws from the university while under nonacademic misconduct charges under this chapter, may not be present on any campus without the written consent of the chief administrative officer of that campus.
- (5) Upon completion of a suspension period, an individual who is academically eligible may re-enroll in the institution which suspended the individual, provided all conditions from previous disciplinary sanctions have been met.

**UWS 17.18 Petition for restoration of rights after suspension or expulsion.** A respondent who has been suspended may petition to have their student status, rights, and privileges restored before the suspension has expired by its own terms under s. [UWS 17.17 \(2\)](#). A respondent who has been expelled may petition for the right to apply for readmission. The petition shall be in writing and directed to the **Chancellor of UW-Stevens Point** from which the respondent was suspended or expelled from a different University of Wisconsin institution to which the respondent seeks admission. The **Chancellor of UW-Stevens Point** shall make the readmission decision. In cases of sexual misconduct, the readmission decision shall be made in consultation with the Title IX Coordinator and reasonable attempts shall be made to notify the complainant of any change to the disciplinary outcome. If enrolled as a student at the time of the petition, the complainant shall be provided opportunity to respond to the petition prior to the readmission decision.

**UWS 17.19 Emergency suspension.**

- (1) The chief administrative officer may impose an emergency suspension on a respondent, pending final institutional action on a report of nonacademic misconduct, in accordance with the procedures of this section.
- (2) The chief administrative officer of each institution may impose an emergency suspension on a respondent when all of the following conditions are met:
  - (a) The investigating officer has made a reasonable attempt to offer the respondent the opportunity for discussion, either in person or by telephone.
  - (b) The investigating officer recommends a sanction of suspension or expulsion.
  - (c) The chief administrative officer concludes, based on the available information, that the misconduct occurred and that the respondent's continued presence on campus meets one or more of the following conditions:
    1. Would constitute a potential for serious harm to the respondent.
    2. Would constitute a potential for serious harm to others.
    3. Would pose a threat of serious disruption of university-run or university-authorized activities.
    4. Would constitute a potential for serious damage to university facilities or property.
  - (d) In cases of sexual misconduct as defined in s. [UWS 17.151](#), the chief administrative officer makes reasonable attempts to consult with the complainant and offer protective measures.
- (3) If the chief administrative officer determines that an emergency suspension is warranted under sub. (2), the chief administrative officer shall promptly have written notification of the emergency suspension delivered to the respondent. In cases of sexual misconduct, as defined in s. [UWS 17.151](#), the written notification of the emergency suspension shall be delivered simultaneously to the complainant and the respondent. The chief administrative officer's decision to impose an emergency suspension shall be effective immediately when delivered to the respondent and is final.
- (4) Where an emergency suspension is imposed, the hearing on the underlying allegations of misconduct shall be held, either on or outside of university lands, within 21 days of the imposition of the emergency suspension, unless the respondent agrees to a later date.
- (5) An emergency suspension imposed in accordance with this section shall be in effect until the decision in the hearing on the underlying charges pursuant to s. [UWS 17.12](#) or [17.153](#) is rendered or the chief administrative officer rescinds the emergency suspension. In no case shall an emergency suspension remain in effect for longer than 30 days, unless the respondent agrees to a longer period.
- (6) If the chief administrative officer determines that none of the conditions specified in sub. (2) (c) are present, but that misconduct may have occurred, the case shall proceed in accordance with s. [UWS 17.12](#) or [17.153](#), as applicable.

**\*Note:** UWS 17 covers non-academic student misconduct. Faculty and staff are subject to other university policies and procedures. The policies and procedures for student academic misconduct (cheating) are contained in UWS 14. \*

**UWS 18.09 Alcohol and Drug Prohibitions**

- (1) ALCOHOL BEVERAGES.
  - (a) The use or possession of alcohol beverages is prohibited on all university premises, except in faculty and staff housing and as permitted by the chief administrative officer, subject to statutory age restrictions. The chief administrative officer may generally permit the use or possession of alcohol beverages by promulgating institutional regulations in consultation with appropriate staff and students, or in specific instances by written permission.
  - (b) No person may procure, sell, dispense or give away alcohol beverages to any person contrary to the provisions of ch. 125, Stats.

- (c) In this subsection, “alcohol beverages” means fermented malt beverages and intoxicating liquors containing 0.5% or more of alcohol by volume.
  - (d) Notwithstanding s. UWS 18.14, institutional regulations developed pursuant to this subsection shall be reported to the president of the system for review and approval.
- (2) POSSESSION OF DRUG PARAPHERNALIA.
- (a) No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of ch. 961, Stats.
  - (b) In this subsection, the term “drug paraphernalia” has the meaning specified in s. 961.571 (1), Stats.; the term “controlled substance” has the meaning specified in s. 961.01 (4), Stats.; and the term “controlled substance analog” has the meaning specified in s. 961.01 (4m), Stats.
  - (c) In determining whether an object is drug paraphernalia under this subsection, the factors listed in s. 961.572, Stats., and all other legally relevant factors, shall be considered.
- (3) POSSESSION OF MARIJUANA.
- (a) No person may intentionally use or possess marijuana on university lands, except when such use or possession is authorized under ch. 961, Stats., or is permitted under s. 961.34, Stats. (b) In this subsection, the term “marijuana” has the meaning specified in s. 961.01 (14), Stats.

#### **UWS 18.15 Additional Statutory Penalty Provisions Regulating Conduct on University Lands**

(1) Controlled substances. The use or possession of controlled substances as defined in s. 961.01 (4), Stats., is prohibited on all university property with the specific exemptions set forth in ch. 961, Stats., and as permitted under s. 961.34, Stats. The penalty provisions of ch. 961, Stats., and chs. UWS 17 and 18 may apply to violations occurring on university lands.

#### **Wis. Stats. 125.07**

Underage drinking by persons under 21 is a civil law violation and is subject to the following legal sanctions under ch. 125.07(4) Wisconsin State Code:

#### **125.07 Underage and intoxicated persons; presence on licensed premises; possession; penalties.**

- (1) Alcohol beverages; restrictions relating to underage persons.
- (a) Restrictions.
    1. No person may 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.
    2. No licensee or permittee may sell, vend, deal or traffic in alcohol beverages to or with any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age.
    3. No adult may knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on premises owned by the adult or under the adult’s control. This subdivision does not apply to alcohol beverages used exclusively as part of a religious service.
    4. No adult may intentionally encourage or contribute to a violation of sub. (4) (a) or (b).
  - (b) Penalties.
    1. In this paragraph, “violation” means a violation of this subsection or of a local ordinance that strictly conforms to par. (a) if the violation results in an imposition of a forfeiture or a conviction. For purposes of determining previous violations under subd. 2., the 30-month period shall be measured from the dates of violations that resulted in an imposition of a forfeiture or a conviction. For the purpose of

determining whether or not a previous violation has occurred, if more than one violation occurs at the same time all those violations shall be counted as one violation.

2. A person who commits a violation may be:
  - a. Required to forfeit not more than \$500 if the person has not committed a previous violation within 30 months of the violation.
  - b. Fined not more than \$500 or imprisoned for not more than 30 days or both if the person has committed a previous violation within 30 months of the violation.
  - c. Fined not more than \$1,000 or imprisoned for not more than 90 days or both if the person has committed 2 previous violations within 30 months of the violation.
  - d. Fined not more than \$10,000 or imprisoned for not more than 9 months or both if the person has committed 3 or more previous violations within 30 months of the violation.
3. A court shall suspend any license or permit issued under this chapter to a person for:
  - a. Not more than 3 days, if the court finds that the person committed a violation within 12 months after committing one previous violation;
  - b. Not less than 3 days nor more than 10 days, if the court finds that the person committed a violation within 12 months after committing 2 other violations; or
  - c. Not less than 15 days nor more than 30 days, if the court finds that the person committed the violation within 12 months after committing 3 other violations.
4. The court shall promptly mail notice of a suspension under this paragraph to the department and to the clerk of each municipality which has issued a license or permit to the person.
5. A person who holds a Class "A" license, a Class "B" license or permit, a "Class A" license or a "Class B" license or permit who commits a violation is subject to subd. 3. but is not subject to subd. 2. or s. 125.11.
6.
  - a. Notwithstanding subd. [1.](#), in this subdivision, "violation" means a violation of par. [\(a\)](#) or of a local ordinance that strictly conforms to par. [\(a\)](#).
  - b. Subject to subd. [6. c.](#), only one penalty may be imposed under this paragraph for each underage person who is provided alcohol beverages contrary to this section or a local ordinance in conformity with this section.
  - c. If a violation occurs on licensed premises and the violation is detected by means of an undercover underage person employed by or assisting a law enforcement agency, only the individual responsible for providing the alcohol beverages to the underage person may be issued a citation for, or charged with, the violation.

#### (4) UNDERAGE PERSONS; PROHIBITIONS; PENALTIES.

- (a) Any underage person who does any of the following is guilty of a violation:
  1. Procures or attempts to procure alcohol beverages from a licensee or permittee.
  2. Unless accompanied by a parent, guardian or spouse who has attained the legal drinking age, possesses or consumes alcohol beverages on licensed premises.
  3. Enters, knowingly attempts to enter or is on licensed premises in violation of sub. (3)(a).
  4. Falsely represents his or her age for the purpose of receiving alcohol beverages from a licensee or permittee.
- (b) Except as provided in par. (bm), any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age who knowingly possesses or consumes alcohol beverages is guilty of a violation.
- (bg) Paragraphs (a) and (b) do not apply to an underage person employed by or assisting a law enforcement agency in carrying out enforcement activities to determine compliance with, or investigate potential violations of, the provisions of this section.

(bm) An underage person may possess alcohol beverages in the course of employment during his or her working hours if employed by any of the following:

1. A brewer or brewpub.
2. A fermented malt beverages wholesaler.
3. A permittee other than a Class "B" or "Class B" permittee.
4. A facility for the production of alcohol fuel.
5. A retail licensee or permittee under the conditions specified in s. 125.32 (2) or 125.68 (2) or for delivery of unopened containers to the home or vehicle of a customer.
6. A campus, if the underage person is at least 18 years of age and is under the immediate supervision of a person who has attained the legal drinking age.

(bs) Any person violating par. (a) is subject to the following penalties:

1. For a first violation, a forfeiture of not less than \$250 nor more than \$500, suspension of the person's operating privilege as provided under s. 343.30 (6)(b) 1., participation in a supervised work program or other community service work under par. (cg) or any combination of these penalties.
2. For a violation committed within 12 months of one previous violation, either a forfeiture of not less than \$300 nor more than \$500, participation in a supervised work program or other community service work under par. (cg) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. 343.30 (6) (b) 2., except that if the violation of par. (a) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. 343.30 (6) (b) 2.
3. For a violation committed within 12 months of 2 previous violations, either a forfeiture of not less than \$500 nor more than \$750, participation in a supervised work program or other community service work under par. (cg) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. 343.30 (6) (b) 3., except that if the violation of par. (a) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. 343.30 (6) (b) 3.
4. For a violation committed within 12 months of 3 or more previous violations, either a forfeiture of not less than \$750 nor more than \$1,000, participation in a supervised work program or other community service work under par. (cg) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. 343.30 (6) (b) 3., except that if the violation of par. (a) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. 343.30 (6) (b) 3.

(c) Any person violating par. (b) is subject to the following penalties:

1. For a first violation, a forfeiture of not less than \$100 nor more than \$200, suspension of the person's operating privilege as provided under s. 343.30 (6) (b) 1., participation in a supervised work program or other community service work under par. (cg) or any combination of these penalties.
2. For a violation committed within 12 months of one previous violation, either a forfeiture of not less than \$200 nor more than \$300, participation in a supervised work program or other community service work under par. (cg) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. 343.30 (6) (b) 2., except that if the violation of par. (b) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. 343.30 (6) (b) 2.
3. For a violation committed within 12 months of 2 previous violations, either a forfeiture of not less than \$300 nor more than \$500, participation in a supervised work program or other community service work under par. (cg) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. 343.30 (6) (b) 3., except that if the violation of par.



- (b) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. 343.30 (6) (b) 3.
4. For a violation committed within 12 months of 3 or more previous violations, either a forfeiture of not less than \$500 nor more than \$1,000, participation in a supervised work program or other community service work under par. (cg) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. 343.30 (6) (b) 3., except that if the violation of par. (b) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. 343.30(6)(b)3. (cd) For purposes of par. (bs) or (c), all violations arising out of the same incident or occurrence shall be counted as a single violation.

### **State of Wisconsin Uniform Controlled Substances Act**

The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and 961.41 outlines specific penalties for the violation of the regulations. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term. Sec. 961.46, Stats.

Amnesty for Underage Alcohol Penalties for Certain Persons - 2015 Wisconsin Act 279 An underage person may not be issued a citation for, or convicted of, a violation of Wis. Stat. s.125.07(4) (a) or (b) if all of the following apply:

- The underage person is a crime victim or bystander and either the crime victim or the bystander requested emergency assistance, by dialing the telephone number "911" or by other means, in connection with the alleged crime or the underage person encountered a law enforcement officer at a medical facility at which the crime victim received treatment in connection with the alleged crime.
- The underage person remains at the scene until emergency assistance arrives and thereafter cooperates with providers of emergency assistance, including furnishing any requested information, unless the underage person lacks capacity to cooperate when emergency medical assistance arrives. If the underage person encounters a law enforcement officer at a medical facility, the underage person cooperates with the officer and furnishes any requested information, unless the underage person lacks capacity to cooperate with the officer.
- If the underage person is a student at a UW-System school, the board or an institution or college campus may not impose any of the following disciplinary sanctions against a student for the student's violation of s. 125.07 (4) (a) or (b), if the student is exempt from issuance of a citation for, or conviction of, the violation under the amnesty law: removal of a course in progress, enrollment restrictions on a course or program, suspension or expulsion, exclusion from student housing.
- However, this amnesty does not apply to an underage person who requests emergency assistance, by dialing the telephone number "911" or by other means, with an intention to claim the protections and knowing that the situation that he or she reports does not exist.

### **Federal Laws**

#### **Federal Legal Sanctions**

Pursuant to federal law, the United States Sentencing Guidelines establish mandatory minimum penalties for categories of drug offenses and provide for penalty enhancements in specific cases. Under these federal guidelines, courts can sentence a person for up to 6 years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana; a sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury; and, possession of more than 5 grams of cocaine can trigger an intent to distribute penalty of 10 –16 years in prison.

**Federal Penalties and Sanctions for Illegal Possession of Controlled Substances**

- 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.
- 21 U.S.C. 853(a)(2) and 881(a)(7) 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, above.)
- 21 U.S.C. 881(a)(4) Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.
- 21 U.S.C. 844a Civil fine of up to \$10,000.
- 21 U.S.C. 862 Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.
- 18 U.S.C. 922(g) Ineligible to purchase, receive or transport a firearm. Miscellaneous Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc.

**9b. Substance Abuse Education Programs**

Upon entering the institution, several units and departments offer alcohol education including Housing and Residence Life, Center for Prevention, and Greek-letter organizations. Additional early intervention and educational services include brief motivational interventions for students. More information about the UW-Stevens Point Center for Prevention can be found at <http://www.uwsp.edu/dos/aoda-ipv>.

The Student Health Service screens its patients using the Alcohol Use Disorders Identification Test (AUDIT). The Office of Dean of Student refers students involved in policy violations to an alcohol education class, and as necessary, an AODA assessment.

**Campus Resources for Employees**

For faculty and staff, the Counseling Center supports an Employee Assistance Program. Persons with treatment needs are referred to several community services.

**10. Preparation and Disclosure of Crime Statistics**

University Police and Security Services prepared this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, law enforcement agencies with jurisdiction for other UW-Stevens Point properties, University Police, Housing and Residence Life, the Campus Activities and Student Engagement office, Emergency Management, the Division of Student Affairs and other campus offices. Each entity provides updated information on the educational efforts and programs to comply with the Clery Act.

Campus crime, arrest and referral statistics include those reported to the Office of the Dean of Students, UWSP University Police, designated campus officials (included but not limited to directors, deans, department heads, designated Housing and Residence Life staff, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. UWSP Counseling Center staff inform their clients of the procedures to report

crime to the university on a voluntary or confidential basis. The online reporting process available through the Office of the Dean of Students website provides a mechanism for submitting anonymous reports.

Each year, an e-mail notification is made to all enrolled students as well as current faculty and staff that provided the web site to access this report. Copies of the report may also be obtained by contacting University Police and Security Services at [Police.and.Security.Services.Office@uwsp.edu](mailto:Police.and.Security.Services.Office@uwsp.edu) or by calling 715-346-3456. The web address for report is included in prospective student recruiting documents, on employment position postings, and online as part of student consumer information disclosures at <http://www.uwsp.edu/chancellor/heoa>.

### **11. Missing Student Notification**

This policy, with its accompanying procedures, establishes a framework for cooperation among members of the university community aimed at locating and assisting students who are reported missing. A student shall be deemed missing when they are absent from the University for more than 24 hours without any known reason. All reports of missing students shall be directed to University Police (715-346-3456). University Police shall investigate each report and decide whether the student is missing in accordance with this policy.

All residential students are informed that they shall have the annual opportunity to identify an individual to be contacted by University Police in the event the student is determined missing (within 24 hours after they are determined to be missing). Contact information for the identified person is entered on a student's *Gold Card* and kept in that student's residence hall. If a missing student is under 18 years of age, University Police is required to notify the parent or guardian, in addition to notifying any additional contact person designated by the student, of the missing student not later than 24 hours after determination was made that the student is missing. University Police will also notify area law enforcement no later than 24 hours after it determines that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

#### **Missing Student Notification Procedures**

Any report of a missing student, from whatever source, should immediately be directed to University Police.

When a student is reported missing University Police shall:

- Initiate an investigation to determine the validity of the missing person report
- Contact the Vice Chancellor for Student Affairs
- Make a determination as to the status of the missing student
- Notify the individual identified by the missing student as the missing person's emergency contact within 24 hours of making the determination that the student is missing
- Notify University Communications and Marketing
- If the missing student is under the age of 18, notify the student's custodial parent or guardian as contained in the records of the University within 24 hours after determination was made that the student is missing.
- Notify the Stevens Point Police Department within 24 hours after determining that student is missing so that NCIC entry can be made
- Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UW-Stevens Point will notify the local law enforcement agency with jurisdiction in the area the student went missing, within 24 hours after determining that student is missing so that NCIC entry can be made

The Vice Chancellor for Student Affairs and the Director of Housing and Residence Life will be notified by staff and the vice chancellor for student affairs shall initiate whatever action they deem appropriate under the circumstances in the best interest of the missing student.

In addition to designating an individual to be contacted by University Police in the event the student is determined missing, students shall be given an opportunity to designate emergency contact information on the university website and on their emergency information card that is completed while they reside in the residence halls. This information can be registered confidentially, is accessible only to authorized campus officials, and may not be disclosed except to University Police or other law enforcement agency in furtherance of a missing person investigation.

Additional procedures for a student who has been missing for 24 hours includes:

- Housing and Residence Life staff gather information from the roommate and other house mates about last contact with student
- Housing and Residence Life staff confirms the last time access card was used to access a building
- Dining and Summer Conferences staff confirms the last time the student's meal card was used in the cafeteria
- All information gathered is shared with UW-Stevens Point University Police as part of their investigation

## **12. Disclosures to Alleged Victims of Crimes of Violence**

To the extent permissible by law, UW-Stevens Point will endeavor to keep victim information private. However, once a report is made to the University, or the University has notice of an incident of sexual assault, domestic violence, dating violence, or stalking, confidentiality cannot be guaranteed unless that information is reported directly to confidential resources (e.g., UWSP Counseling Center).

For victims aged 18 and older who report to non-confidential sources, relevant information will be shared only with those who need to know, such as Title IX Coordinators and Deputy Coordinators, complaint investigators, and other individuals who are responsible for handling the school's response to incidents of sexual violence. In the case of minors, UW-Stevens Point employees must report child abuse to Child University Police or local law enforcement.

UW-Stevens Point must respond to court ordered subpoenas that are not prohibited by other applicable law and may not be able to redact information when responding to a subpoena.

UW-Stevens Point will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceedings conduct by the institution 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 the purposes of this paragraph.

## **13. Sex Offender Registration**

University Police maintains registered sex offender information on their webpages:

<http://www.uwsp.edu/protsv/Pages/WI-SexOffenders.aspx>.

The state of Wisconsin maintains a sex offender listing here: <https://appsdoc.wi.gov/public/>.

**14. Policies and Procedures Related to Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

University of Wisconsin-Stevens Point does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. The University of Wisconsin-Stevens Point prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment as an intellectual community founded on mutual respect and is committed to providing a living, learning, and working environment that is free from sexual assault, domestic violence, dating violence and stalking. These acts of violence are detrimental to the learning environment and can have a severe, long-lasting, effect on the survivor. The University of Wisconsin Stevens Point will not tolerate any violations of state law and or violations of university policy.

Toward that end, University of Wisconsin-Stevens Point 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 university official.

**Complaints Involving Allegations Occurring Before August 14, 2020**

Complaints against students involving allegations occurring before August 14, 2020, will be processed through the University of Wisconsin System previous version of Chapter 17.<sup>1</sup> Complaints against employees occurring before that date will be processed under:

- The previous version of University of Wisconsin System Chapter 4 for faculty<sup>2</sup>
- The previous version of University of Wisconsin System Chapter 11 for academic staff<sup>3</sup>
- UW System Administrative Policy 1233<sup>4</sup> and UW-Stevens Point Policy 1233<sup>5</sup> for university staff.

Previous version of Regent Policy Document 14-2<sup>6</sup> for Title IX complaints against employees other than faculty and academic staff.

**Complaints Involving Allegations Occurring Between August 14, 2020, and May 10, 2021**

Complaints against students involving allegations occurring between August 14, 2020, and May 10, 2021, will be processed through the Emergency Rules for University of Wisconsin System Chapter 17.<sup>7</sup> Complaints against employees will be processed under:

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<sup>1</sup> Previous UWS Ch 17, Wisconsin Admin. Code. Available at

<https://docs.legis.wisconsin.gov/document/administrativecodearchive/726/insert/UWS%2017.pdf>

<sup>2</sup> Previous UWS Ch 4, Wisconsin Admin. Code. Available at

<https://docs.legis.wisconsin.gov/document/administrativecodearchive/726/insert/UWS%204.pdf>

<sup>3</sup> Previous UWS ch. 11, Wisconsin Admin. Code. Available at

<https://docs.legis.wisconsin.gov/document/administrativecodearchive/726/insert/UWS%2011.pdf>

<sup>4</sup> UWS Policy 1233 available at <https://www.wisconsin.edu/uw-policies/uw-system-administrative-policies/grievance-procedures/>

<sup>5</sup> UWSP Policy 1233 available at [Microsoft Word - GEN 14 Grievance Procedures UWSP Final](#)

<sup>6</sup> Regent Policy Document 14-2. For allegations before 8/5/20, use:

[https://www.wisconsin.edu/regents/download/meeting\\_materials/2016\(3\)/december/education-committee-pdf-december-2016.pdf](https://www.wisconsin.edu/regents/download/meeting_materials/2016(3)/december/education-committee-pdf-december-2016.pdf) (pgs 76-90). For allegations between 08/05/20-8/14/20, use:

[https://www.wisconsin.edu/regents/download/meeting\\_materials/2020\\_meeting\\_materials/meeting-book---board-of-regents-meeting---august-5,-2020.pdf](https://www.wisconsin.edu/regents/download/meeting_materials/2020_meeting_materials/meeting-book---board-of-regents-meeting---august-5,-2020.pdf) (pgs 108-133)

<sup>7</sup> UWS Emergency Ch 17, Wisconsin Admin. Code. Available at

[https://docs.legis.wisconsin.gov/code/emergency\\_rules/all/emr2027](https://docs.legis.wisconsin.gov/code/emergency_rules/all/emr2027)

- University of Wisconsin System Chapter 4 for faculty<sup>8</sup>
- University of Wisconsin System Chapter 11 for academic staff<sup>9</sup>
- UW System Administrative Policy 1233<sup>10</sup> and UW-Stevens Point Policy 1233<sup>11</sup> for university staff
- Regent Policy Document 14-2 and Appendix C<sup>12</sup> for Title IX complaints against employees other than faculty and academic staff.

### Complaints Involving Allegations Occurring on and after May 11, 2021

Complaints against students involving allegations occurring on and after May 11, 2021, will be processed through the University of Wisconsin System Chapter 17.<sup>13</sup> Complaints against employees will be processed under:

- University of Wisconsin System Chapter 4 for faculty<sup>14</sup>
- University of Wisconsin System Chapter 11 for academic staff<sup>15</sup>
- UW System Administrative Policy 1233<sup>16</sup> and UW-Stevens Point Policy 1233<sup>17</sup> for university staff
- Regent Policy Document 14-2 and Appendix C<sup>18</sup> for Title IX complaints against employees other than faculty and academic staff.

### 14a. Violence Against Women Act (VAWA) and Wisconsin Definitions

#### 14a1. Consent

Consent is defined in the state of Wisconsin and for UW-Stevens Point, 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, subject to the provisions of s. 972.11 (2):

- (b) A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct. 940.225(4)(c)
- (c) A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

<sup>8</sup> UWS Emergency Ch 4, Wisconsin Admin. Code. Available at [https://docs.legis.wisconsin.gov/code/emergency\\_rules/all/emr2024](https://docs.legis.wisconsin.gov/code/emergency_rules/all/emr2024)

<sup>9</sup> UWS Emergency ch. 11, Wisconsin Admin. Code. Available at [https://docs.legis.wisconsin.gov/code/emergency\\_rules/all/emr2026](https://docs.legis.wisconsin.gov/code/emergency_rules/all/emr2026)

<sup>10</sup> UWS Policy 1233 available at <https://www.wisconsin.edu/uw-policies/uw-system-administrative-policies/grievance-procedures/>

<sup>11</sup> UWSP Policy 1233 available at [Microsoft Word - GEN 14 Grievance Procedures UWSP Final](#)

<sup>12</sup> Regent Policy Document 14-2 Appendix C: For allegations between 8/14/20-8/20/20, use: [https://www.wisconsin.edu/regents/download/meeting\\_materials/2020\\_meeting\\_materials/meeting-book---board-of-regents-meeting---august-5,-2020.pdf](https://www.wisconsin.edu/regents/download/meeting_materials/2020_meeting_materials/meeting-book---board-of-regents-meeting---august-5,-2020.pdf) (pgs 108-133). For allegations between 08/20/20-6/1/21, use: [https://www.wisconsin.edu/regents/download/meeting\\_materials/2020\\_meeting\\_materials/meeting-book---board-of-regents-meeting---august-20,-2020.pdf](https://www.wisconsin.edu/regents/download/meeting_materials/2020_meeting_materials/meeting-book---board-of-regents-meeting---august-20,-2020.pdf) (pgs 82-111)

<sup>13</sup> UWS ch. 17, Wisconsin Admin. Code. Available at [https://docs.legis.wisconsin.gov/code/admin\\_code/uws/17](https://docs.legis.wisconsin.gov/code/admin_code/uws/17)

<sup>14</sup> UWS Emergency Ch 4, Wisconsin Admin. Code. Available at [https://docs.legis.wisconsin.gov/code/admin\\_code/uws/4](https://docs.legis.wisconsin.gov/code/admin_code/uws/4)

<sup>15</sup> UWS ch. 11, Wisconsin Admin. Code. Available at [https://docs.legis.wisconsin.gov/code/admin\\_code/uws/11](https://docs.legis.wisconsin.gov/code/admin_code/uws/11)

<sup>16</sup> SYS 1233 available at <https://www.wisconsin.edu/uw-policies/uw-system-administrative-policies/grievance-procedures/>

<sup>17</sup> [Name of Campus Policy Equivalent to SYS 1233] available at [link to policy]

<sup>18</sup> Regent Policy Document 14-2 and Appendix C available at <https://www.wisconsin.edu/regents/policies/sexual-violence-and-sexual-harassment>

**14a2. Dating Violence - VAWA Definition**

Dating violence is defined as violence committed by a person A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and B) where the existence of such a relationship shall be determined based on consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship
- For the purposes of this definition—
  - Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
  - Dating violence does not include acts covered under the definition of domestic violence

**Dating Violence - Wisconsin Definition**

In the state of Wisconsin, a dating relationship is further defined as a romantic or intimate social relationship between two adult individuals but “dating relationship” does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context. A court shall determine if a dating relationship existed by considering the length of the relationship, the type of the relationship, and the frequency of the interaction between the adult individuals involved in the relationship.

- The state of Wisconsin does not have a definition of dating violence as a unique offense.

**14a3. Domestic Violence - VAWA Definition**

Domestic violence includes felony or misdemeanor crimes 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 cohabiting 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 by any other person against an adult or youth who is protected from the person’s acts under the domestic or family violence laws of the jurisdiction.

**Domestic Violence - Wisconsin Definition**

(1) (a) "Domestic abuse" means any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided or against an adult with whom the person has a child in common:

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 physical act that may cause the other person reasonably to fear imminent engagement in the conduct described under subd. 1., 2. or 3.

(b) "Law enforcement agency" has the meaning specified in s. 165.83 (1) (b).

(d) "Party" means a person involved in a domestic abuse incident.

(e) "Predominant aggressor" means the most significant, but not necessarily the first, aggressor in a domestic abuse incident.

(2) CIRCUMSTANCES REQUIRING ARREST; PRESUMPTION AGAINST CERTAIN ARRESTS.

(a) Notwithstanding s. 968.07 (1) and except as provided in pars. (am) and (b), a law enforcement officer shall arrest and take a person into custody if:

1. The officer has reasonable grounds to believe that the person is committing or has committed domestic abuse and that the person's actions constitute the commission of a crime; and

2. Any of the following apply:

a. The officer has a reasonable basis for believing that continued domestic abuse against the alleged victim is likely.

b. There is evidence of physical injury to the alleged victim.

c. The person is the predominant aggressor.

(am) Notwithstanding s. 968.07 (1), unless the person's arrest is required under s. 813.12 (7), 813.122 (10), 813.125 (6), or 813.128 (1) (b) or sub. (5) (e), if a law enforcement officer identifies the predominant aggressor, it is generally not appropriate for a law enforcement officer to arrest anyone under par. (a) other than the predominant aggressor.

(ar) In order to protect victims from continuing domestic abuse, a law enforcement officer shall consider all of the following in identifying the predominant aggressor:

1. The history of domestic abuse between the parties, if it can be reasonably ascertained by the officer, and any information provided by witnesses regarding that history.

2. Statements made by witnesses.

3. The relative degree of injury inflicted on the parties.

4. The extent to which each person present appears to fear any party.

5. Whether any party is threatening or has threatened future harm against another party or another family or household member.

6. Whether either party acted in self-defense or in defense of any other person under the circumstances described in s. 939.48.

(b) If the officer's reasonable grounds for belief under par. (a) 1. are based on a report of an alleged domestic abuse incident, the officer is required to make an arrest under par. (a) only if the report is received, within 28 days after the day the incident is alleged to have occurred, by the officer or the law enforcement agency that employs the officer.

(2m) IMMEDIATE RELEASE PROHIBITED. Unless s. 968.08 applies, a law enforcement officer may not release a person whose arrest was required under sub. (2) until the person posts bail under s. 969.07 or appears before a judge under s. 970.01 (1).

(3) LAW ENFORCEMENT POLICIES.

(a) Each law enforcement agency shall develop, adopt, and implement written policies regarding procedures for domestic abuse incidents. The policies shall include, but not be limited to, the following:

1. a. A statement emphasizing that in most circumstances, other than those under sub. (2), a law enforcement officer should arrest and take a person into custody if the officer has reasonable grounds to believe that the person is committing or has committed domestic abuse and that the person's actions constitute the commission of a crime.

b. A policy reflecting the requirements of subs. (2) and (2m).

c. A statement emphasizing that a law enforcement officer's decision as to whether or not to arrest under this section may not be based on the consent of the victim to any subsequent prosecution or on the relationship of the parties.

d. A statement emphasizing that a law enforcement officer's decision not to arrest under this section may not be based solely upon the absence of visible indications of injury or impairment.

e. A statement discouraging, but not prohibiting, the arrest of more than one party.



- f. A statement emphasizing that a law enforcement officer, in determining whether to arrest a party, should consider whether he or she acted in self-defense or in defense of another person.
2. A procedure for the written report and referral required under sub. (4).
  3. A procedure for notifying the alleged victim of the incident of the provisions in sub. (5), the procedure for releasing the arrested person and the likelihood and probable time of the arrested person's release.
  4. A procedure that requires a law enforcement officer, if the law enforcement officer has reasonable grounds to believe that a person is committing or has committed domestic abuse, to inform the victim of the availability of shelters and services in his or her community, including using lists available under ss. 49.165 (4) (b) and 165.93 (4) (b); to give notice of legal rights and remedies available to him or her; and to provide him or her with a statement that reads substantially as follows: "If you are the victim of domestic abuse, you may contact a domestic violence victim service provider to plan for your safety and take steps to protect yourself, including filing a petition under s. 813.12 of the Wisconsin statutes for a domestic abuse injunction or under s. 813.125 of the Wisconsin statutes for a harassment injunction."
- (am) The policies under par. (a) may provide that the law enforcement agency will share information with organizations that are eligible to receive grants under s. 49.165 (2) or 165.93 (2).
- (b) In the development of these policies, each law enforcement agency is encouraged to consult with community organizations and other law enforcement agencies with expertise in the recognition and handling of domestic abuse incidents.
- (c) This subsection does not limit the authority of a law enforcement agency to establish policies that require arrests under more circumstances than those set forth in sub. (2), but the policies may not conflict with the presumption under sub. (2) (am).

(4) REPORT REQUIRED WHERE NO ARREST. If a law enforcement officer does not make an arrest under this section when the officer has reasonable grounds to believe that a person is committing or has committed domestic abuse and that person's acts constitute the commission of a crime, the officer shall prepare a written report stating why the person was not arrested. The report shall be sent to the district attorney's office, in the county where the acts took place, immediately after investigation of the incident has been completed. The district attorney shall review the report to determine whether the person involved in the incident should be charged with the commission of a crime.

(5) CONTACT PROHIBITION.

- (a) 1. Unless there is a waiver under par. (c), during the 72 hours immediately following an arrest for a domestic abuse incident, the arrested person shall avoid the residence of the alleged victim of the domestic abuse incident and, if applicable, any premises temporarily occupied by the alleged victim, and avoid contacting or causing any person, other than law enforcement officers and attorneys for the arrested person and alleged victim, to contact the alleged victim.
2. An arrested person who intentionally violates this paragraph may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.
- (b) 1. Unless there is a waiver under par. (c), a law enforcement officer or other person who releases a person arrested for a domestic abuse incident from custody less than 72 hours after the arrest shall inform the arrested person orally and in writing of the requirements under par. (a), the consequences of violating the requirements and the provisions of s. 939.621. The arrested person shall sign an acknowledgment on the written notice that he or she has received notice of, and understands the requirements, the consequences of violating the requirements and the provisions of s. 939.621. If the arrested person refuses to sign the notice, he or she may not be released from custody.

2. If there is a waiver under par. (c) and the person is released under subd. 1., the law enforcement officer or other person who releases the arrested person shall inform the arrested person orally and in writing of the waiver and the provisions of s. 939.621.

3. Failure to comply with the notice requirement under subd. 1. regarding a person who is lawfully released from custody bars a prosecution under par. (a) but does not affect the application of s. 939.621 in any criminal prosecution.

(c) At any time during the 72-hour period specified in par. (a), the alleged victim may sign a written waiver of the requirements in par. (a). The law enforcement agency shall have a waiver form available.

(d) The law enforcement agency responsible for the arrest of a person for a domestic abuse incident shall notify the alleged victim of the requirements under par. (a) and the possibility of, procedure for and effect of a waiver under par. (c).

(e) Notwithstanding s. 968.07 (1), a law enforcement officer shall arrest and take a person into custody if the officer has reasonable grounds to believe that the person has violated par. (a).

(6) **CONDITIONAL RELEASE.** A person arrested and taken into custody for a domestic abuse incident is eligible for conditional release. Unless there is a waiver under sub. (5) (c), as part of the conditions of any such release that occurs during the 72 hours immediately following such an arrest, the person shall be required to comply with the requirements under sub. (5) (a) and to sign the acknowledgment under sub. (5) (b). The arrested person's release shall be conditioned upon his or her signed agreement to refrain from any threats or acts of domestic abuse against the alleged victim or other person.

(6m) **OFFICER IMMUNITY.** A law enforcement officer is immune from civil and criminal liability arising out of a decision by the officer to arrest or not arrest an alleged offender, if the decision is made in a good faith effort to comply with this section.

(7) **PROSECUTION POLICIES.** Each district attorney's office shall develop, adopt and implement written policies encouraging the prosecution of domestic abuse offenses. The policies shall include, but not be limited to, the following:

(a) A policy indicating that a prosecutor's decision not to prosecute a domestic abuse incident should not be based:

1. Solely upon the absence of visible indications of injury or impairment.
2. Upon the victim's consent to any subsequent prosecution of the other person involved in the incident; or
3. Upon the relationship of the persons involved in the incident.

(b) A policy indicating that when any domestic abuse incident is reported to the district attorney's office, including a report made under sub. (4), a charging decision by the district attorney should, absent extraordinary circumstances, be made not later than 2 weeks after the district attorney has received notice of the incident.

(8) **EDUCATION AND TRAINING.** Any education and training by the law enforcement agency relating to the handling of domestic abuse complaints shall stress enforcement of criminal laws in domestic abuse incidents and protection of the alleged victim. Law enforcement agencies and community organizations with expertise in the recognition and handling of domestic abuse incidents shall cooperate in all aspects of the training.

(9) **ANNUAL REPORT.**

(a) Each district attorney shall submit an annual report to the department of justice listing all of the following:

1. The number of arrests for domestic abuse incidents in his or her county as compiled and furnished by the law enforcement agencies within the county.

- 1m. The number of responses law enforcement made that involved a domestic abuse incident that did not result in an arrest.
2. The number of subsequent prosecutions and convictions of the persons arrested for domestic abuse incidents. (b) The listing of the number of arrests, prosecutions and convictions under par. (a) shall include categories by statutory reference to the offense involved and include totals for all categories.

#### **14a4. Sexual Assault - VAWA Definition**

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."

- 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.
- 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.
- Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

#### **Sexual Assault - Wisconsin Definitions**

The State of Wisconsin defines Sexual Assault in state statute §940.225. That statute is described below:

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

#### **14a5. Stalking - VAWA Definition**

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to A) fear for his or her safety or the safety of others; or B) suffer substantial emotional distress.

The State of Wisconsin defines stalking under state statute §940.32 and is described below.

- i. 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.
- ii. 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.

#### **Stalking - Wisconsin Definition**

(1) In this section:

(a) "Course of conduct" means a series of 2 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.

940.32(1)(a)5. 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.

(am) "Domestic abuse" has the meaning given in s. 813.12 (1) (am).

(ap) "Domestic abuse offense" means an act of domestic abuse that constitutes a crime.

(c) "Labor dispute" includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(cb) "Member of a family" means a spouse, parent, child, sibling, or any other person who is related by blood or adoption to another.

(cd) "Member of a household" means a person who regularly resides in the household of another or who within the previous 6 months regularly resided in the household of another.

(cg) "Personally identifiable information" has the meaning given in s. 19.62 (5).

(cr) "Record" has the meaning given in s. 19.32 (2).

(d) "Suffer serious emotional distress" means to feel terrified, intimidated, threatened, harassed, or tormented.

(2) Whoever meets all of the following criteria is guilty of a Class I felony:

(a) The actor intentionally engages in a course of conduct directed at a specific person that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury to or the death of himself or herself or a member of his or her family or household.

(b) The actor knows or should know that at least one of the acts that constitute the course of conduct will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household.

(c) The actor's acts cause the specific person to suffer serious emotional distress or induce fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.

(2e) Whoever meets all of the following criteria is guilty of a Class I felony:

(a) After having been convicted of sexual assault under s. 940.225, 948.02, 948.025, or 948.085 or a domestic abuse offense, the actor engages in any of the acts listed in sub. (1) (a) 1. to 10., if the act is directed at the victim of the sexual assault or the domestic abuse offense.

(b) The actor knows or should know that the act will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household.

(c) The actor's act causes the specific person to suffer serious emotional distress or induces fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.

(2m) Whoever violates sub. (2) is guilty of a Class H felony if any of the following applies:

(a) The actor has a previous conviction for a violent crime, as defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v), or (1x).

(b) The actor has a previous conviction for a crime, the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.

(c) The actor intentionally gains access or causes another person to gain access to a record in electronic format that contains personally identifiable information regarding the victim in order to facilitate the violation.

(d) The person violates s. 968.31 (1) or 968.34 (1) in order to facilitate the violation.

(e) The victim is under the age of 18 years at the time of the violation.

(3) Whoever violates sub. (2) is guilty of a Class F felony if any of the following applies:

(a) The act results in bodily harm to the victim or a member of the victim's family or household.

(b) The actor has a previous conviction for a violent crime, as defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v) or (1x), the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.

(c) The actor uses a dangerous weapon in carrying out any of the acts listed in sub. (1) (a) 1. to 9.

(3m) A prosecutor need not show that a victim received or will receive treatment from a mental health professional in order to prove that the victim suffered serious emotional distress under sub. (2) (c) or (2e) (c).

(4) (a) This section does not apply to conduct that is or acts that are protected by the person's right to freedom of speech or to peaceably assemble with others under the state and U.S. constitutions, including, but not limited to, any of the following:

1. Giving publicity to and obtaining or communicating information regarding any subject, whether by advertising, speaking or patrolling any public street or any place where any person or persons may lawfully be.
2. Assembling peaceably.
3. Peaceful picketing or patrolling.

(b) Paragraph (a) does not limit the activities that may be considered to serve a legitimate purpose under this section.

(5) This section does not apply to conduct arising out of or in connection with a labor dispute.

(6) The provisions of this statute are severable. If any provision of this statute is invalid or if any application thereof is invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application.

#### **14b. Education Programs**

The University engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

- 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
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels

- Identifies domestic violence, dating violence, sexual assault and stalking as defined by the Clery Act as prohibited conduct
- Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking, according to any applicable jurisdictional definitions of these terms
- Defines what behavior and actions constitute consent to sexual activity in the State of Wisconsin
- Defines consent in the State of Wisconsin, the standard used by UW-Stevens Point,
- Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander
- Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act. Information regarding:
  - 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” below)
  - 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 “Counseling and Other Services for Victims” below); and
  - Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Accommodations and Protective Measures Available for Victims” below)
  - Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “UWS 17.16 Sexual Misconduct subject to disciplinary action” below)

UW-Stevens Point has developed an annual educational campaign for students consisting of a web-based educational program for all new students (*Sexual Assault Prevention for Undergraduates*); an education session during Welcome Weekend; distribution of educational materials in classroom presentations; ongoing programs throughout the year for all students, including sessions such as: skits, clothesline projects, a residence hall speaker series, an annual poster series, and bystander intervention training opportunities.

The University is continuing to improve upon the annual educational campaign for faculty and staff by regularly participating in and presenting information and materials during new employee orientation and requiring completion of a web-based training program regarding the role of faculty and staff in assisting students who disclose abuse or an assault.

#### **14c. Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs**

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The University will make such accommodations or protective measures, if the victim requests them and if they are reasonable available,

regardless of whether the victim chooses to report the crime to University Police or local law enforcement.

- Seek medical attention immediately. A hospital visit is highly recommended. It is important to preserve evidence toward the proof of sexual assault, even if you chose not to make a report to law enforcement. See Resources for hospital closest to you (page 4).
- 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 university adjudicators/investigators or police.
- 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 a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
- If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, (133 Old Main, Stevens Point, 715-346-2606, [link to online reporting](#)) by calling, writing, or coming into the office to report in person and to University Police, if the victim so desires. University Police can be contacted at 715-346-3456 and are located in the George Stien Building *on campus (Stevens Point)*.
  - Reports of student-against-student interpersonal violence can also be made in person or online through Office of the Dean of Students. The online report can be found at [www.uwsp.edu/dos](http://www.uwsp.edu/dos)
  - Reports of all domestic violence, dating violence, sexual assault and stalking made to University Police or the Dean of Students will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal or campus charges.
- Reports involving faculty or staff should be reported directly to Human Resources (715-346-2606; 133 Old Main, Stevens Point).
- You are encouraged, but not required, to also report the incident to UWSP University Police or local law enforcement. The Title IX Coordinator or the Office of the Dean of Students can assist you with this process.
- Seek assistance from a professional counselor. Free counseling for students is available through the UWSP Counseling Center and the Counseling Center is a confidential reporting location.



Incident Being Reported	Procedures Institution Will Follow
<p><b>Sexual Assault</b></p>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), UW-Stevens Point will provide complainant with access to medical care</li> <li>2. UW-Stevens Point will assess immediate safety needs of complainant</li> <li>3. UW-Stevens Point will assist complainant with contacting University Police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. UW-Stevens Point will connect complainant to local interpersonal violence advocacy agency</li> <li>5. UW-Stevens Point will provide complainant with referrals to on and off campus mental health providers</li> <li>6. UW-Stevens Point will assess need to implement interim or long-term supportive measures, if appropriate.</li> <li>7. UW-Stevens Point will provide the victim with a written explanation of the victim’s rights and options</li> <li>8. UW-Stevens Point will provide a “Location Restriction” directive to accused party if deemed appropriate</li> <li>9. UW-Stevens Point will provide a “No Contact” directive to accused party if deemed appropriate</li> <li>10. UW-Stevens Point will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>11. UW-Stevens Point will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged, and what the outcome of the hearing is</li> <li>12. UW-Stevens Point will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>
<p><b>Stalking</b></p>	<ol style="list-style-type: none"> <li>1. UW-Stevens Point will assess immediate safety needs of complainant</li> <li>2. UW-Stevens Point will assist complainant with contacting University Police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. UW-Stevens Point will connect complainant to local interpersonal violence advocacy agency</li> <li>4. UW-Stevens Point will provide a “Location Restriction” directive to accused party if deemed appropriate</li> <li>5. UW-Stevens Point will provide a “No Contact” directive to accused party if deemed appropriate</li> <li>6. UW-Stevens Point will provide written information to complainant on how to preserve evidence</li> <li>7. UW-Stevens Point will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>8. UW-Stevens Point will provide the victim with a written explanation of the victim’s rights and options</li> </ol>

<p><b>Dating Violence</b></p>	<ol style="list-style-type: none"> <li>1. UW-Stevens Point will assess immediate safety needs of complainant</li> <li>2. UW-Stevens Point will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department. UW-Stevens Point will connect complainant to local interpersonal violence advocacy agency</li> <li>3. UW-Stevens Point will provide a “Location Restriction” directive to accused party if deemed appropriate</li> <li>4. UW-Stevens Point will provide a “No Contact” directive to accused party if deemed appropriate</li> <li>5. UW-Stevens Point will provide written information to complainant on how to preserve evidence</li> <li>6. UW-Stevens Point will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>7. UW-Stevens Point will provide the victim with a written explanation of the victim’s rights and options</li> </ol>
<p><b>Domestic Violence</b></p>	<ol style="list-style-type: none"> <li>1. UW-Stevens Point will assess immediate safety needs of complainant</li> <li>2. UW-Stevens Point will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. UW-Stevens Point will connect complainant to local interpersonal violence advocacy agency</li> <li>4. UW-Stevens Point will provide a “Location Restriction” directive to accused party if deemed appropriate</li> <li>5. UW-Stevens Point will provide a “No Contact” directive to accused party if deemed appropriate</li> <li>6. UW-Stevens Point will provide written information to complainant on how to preserve evidence</li> <li>7. UW-Stevens Point will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>8. UW-Stevens Point will provide the victim with a written explanation of the victim’s rights and options</li> </ol>

**14d. Option to Notify Law Enforcement**

You are encouraged, but not required, to also report the incident to University Police and Security Services or local law enforcement ([UWSP Police and Security Services](#), George Stien Building, Stevens Pont campus; 715-346-3456). The Title IX Coordinator or the Office of the Dean of Students can assist you with this process.

**14e. Counseling and Other Services for Victims**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, UW-Stevens Point will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. Counseling services at the UW-Stevens Point are free to all enrolled students. Employees of the University should contact Human Resources regarding resources through the Employee Assistance Program (EAP).

**14f. Accommodations and Protective Measures Available for Victims**

The Title IX Coordinator or designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to an order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, and to other parties involved.

Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Interim interventions or protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the University of Wisconsin-Stevens Point.

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, UW-Stevens Point will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact the Title IX Coordinator (133 Old Main, 715-346-2606). If the victim wishes to receive assistance in requesting these accommodations, she or he should contact the Office of the Dean of Students (715-346-2611, [dos@uwsp.edu](mailto:dos@uwsp.edu), 212 Old Main (Stevens Point campus)).

**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**

The University of Wisconsin-Stevens Point also complies with Wisconsin law in recognizing orders of protection (injunction/restraining orders). Any person who obtains an order of protection or restraining order from Wisconsin or any state should provide a copy to University Police and the Office of the Title IX Coordinator.

A complainant may then meet with University Police and Security Services to develop a safety action plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, providing a temporary cellphone, changing classroom locations, or allowing a student to complete assignments from home, etc. The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the

applicable jurisdiction(s). ([UWSP Police and Security Services](#), George Stien Building, Stevens Point campus; 715-346-3456)

UW-Stevens Point may issue an institutional no contact order and/or location restrictions if deemed appropriate or at the request of the victim or accused.

The following information is provided by the Wisconsin Department of Justice, available at <https://www.doj.state.wi.us/ocvs/victim-rights/restraining-orders>, and the Wisconsin Coalition Against Sexual Assault, available at <https://www.wcasa.org/resources/areas-of-interest/systems/civil-legal-needs-of-survivors/>.

### *Restraining Order*

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.

To get a restraining order, you must first request papers for a temporary restraining order (TRO). These papers are called the petition. The person completing the petition is called the petitioner and the person you file against is called the respondent. Once you file 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 you to come back to court within 14 days. This hearing is called an injunction hearing. At that hearing you will ask the court to issue 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.<sup>19</sup>

Restraining order forms can be found at <http://www.wicourts.gov/forms1/circuit.htm>, under the heading “civil.” In addition, the clerk of court in your county can provide you with the appropriate forms and limited information as to how to complete them. A list of clerks of court by county can be found at <http://www.wicourts.gov/contact/docs/clerks.pdf>.

Sexual assault, domestic violence, dating violence and stalking victims sometimes ask if Restraining Orders are necessary if there is no criminal action pending. ROs do provide protections that are unavailable through the criminal trial process, such as the authority for law enforcement to make an immediate arrest if a violation occurs. Sexual assault victims also ask if the RO process can detrimentally impact a criminal case or ask which RO to obtain if the victim’s situation would allow them to obtain more than one type of RO. These can be complicated questions. The victim may want to discuss these concerns with the district attorney or with an advocate at a sexual assault program. Ultimately, these decisions lie with the victim because the victim is the person best able to determine what will keep them safe. For a list of sexual assault programs, please see [www.wcasa.org](http://www.wcasa.org). In addition to providing information to victims about restraining orders, advocates can help victims develop a detailed safety plan and let the victim know what other services might be available to them.<sup>20</sup>

### *Harassment Restraining Orders (HROs)*

An HRO may be the only remedy available to some victims sexually assaulted or stalked by someone with whom they have not had an intimate relationship. Grounds include but are not limited to:

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<sup>19</sup> Wisconsin Department of Justice (2017). Restraining Orders, available at <https://www.doj.state.wi.us/ocvs/victim-rights/restraining-orders>.

<sup>20</sup> WCASA (2017). Restraining Orders for Sexual Assault Victims, available at <https://www.wcasa.org/resources/areas-of-interest/systems/civil-legal-needs-of-survivors/>

- striking, shoving, kicking or otherwise subjecting another person to physical contact or attempting or threatening to do the same
- engaging in a course of conduct or repeatedly committing acts which harass or intimidate another person and serve no legitimate purpose
- engaging in child abuse (see definition below), sexual assault, or stalking.

One act of sexual assault can be grounds to obtain this restraining order.

Who can file?

Any person harassed, including an adult, a child, the parent, stepparent, or legal guardian of a child who was harassed, or a child's guardian ad litem. A few additional individuals can petition in a proceeding brought under Wis. Stat. §48.13 (child in need of protection or services).

Against whom can an HRO be granted?

Any person, child, or adult, who engages in harassment as described above.

Remedies:

The respondent can be ordered to stop or avoid harassing the petitioner, to avoid the residence of the petitioner (this can be ordered temporarily even when the respondent owns the property), or any combination of these remedies. The RO can be in effect up to 4 years. A firearm surrender is not automatic but may be requested by the petitioner of the HRO.

*Domestic Abuse Restraining Order (DARO)*

Sexual assault is a common form of domestic abuse by intimate partners. Grounds for a DARO include but are not limited to:

- intentional infliction of physical pain
- physical injury or illness
- intentional impairment of physical condition
- sexual assault (1st – 3rd degree)
- intentional damage of property
- threats to engage in any of the above.

Who can file?

- An adult family member
- An adult household member
- An adult former spouse
- An adult with whom the petitioner has a child in common,
- An adult with whom the petitioner has or had a dating relationship,
- An adult under a caregiver's supervision
- A guardian of an individual adjudicated incompetent.

The petitioner must be the victim except for the guardian of an incompetent individual.

Against whom can a DARO be granted?

- An adult family member,
- An adult household member

- An adult former spouse
- An adult with whom the petitioner has a child in common
- An adult with whom the petitioner has or had a dating relationship
- An adult caregiver

#### Remedies:

The respondent can be ordered to:

- refrain from committing acts of domestic abuse against the victim
- avoid the victim's residence or any other location temporarily occupied by the victim
  - This can be ordered temporarily even when the respondent owns the property.
- avoid contacting or having others contact the victim
- any combination of these remedies
- any other appropriate remedy not inconsistent with the remedies requested in the petition.

If a DARO is granted, it must be for the duration requested by the victim but may not exceed four years. Firearms surrender is mandatory when a DARO is granted.

#### *Child Abuse Restraining Order (CARO)*

This restraining order is used when children are abused. Grounds include but are not limited to:

- sexual assault (1st – 4th degree)
- sexual assault of a child (1st and 2nd degree)
- repeated acts of sexual assault
- sexual exploitation of a child
- permitting, allowing, or encouraging a child to engage in child prostitution
- causing a child to view or listen to sexual activity
- causing child to expose or exposing genitals or pubic area to a child
- emotional damage
- physical injury
- threats to engage in this conduct.

#### Who can file?

A victim of child abuse or the parent, stepparent, legal guardian, or guardian ad litem of a victim. A few additional individuals can petition in a proceeding brought under Wis. Stat. §48.13 (child in need of protection or services).

#### Against whom can the CARO be granted?

Any person, child, or adult, who engages in child abuse. A claim of emotional damage can be brought against a parent, guardian, or legal custodian who has neglected, refused, or been unable to ameliorate those symptoms for reasons other than poverty.

#### Remedies:

A respondent can be ordered to avoid the victim's residence and avoid contacting or causing any person to contact the victim (with a few narrow exceptions). The injunction can be granted for up to two years or until the child reaches 18, whichever is first. Firearms surrender is mandatory if a CARO is granted. If the respondent is the parent of the child victim, a CARO may also set or restrict visitation rights.

**Enforcing a Restraining Order:**

Call the police immediately if the respondent violates the Restraining Order. (911 or University Police and Security Services at 715-346-3456). The respondent has just committed a crime. Ask the police to have the District Attorney's office review the case for charges even if no arrest is made. If the respondent is on probation or parole, give a copy of the Restraining Order to the parole agent and report any violations. You can find out who their probation agent is by calling the Department of Corrections Central Records at (608) 240-3750 and providing the person's name or birthday.

**14g. Campus Disciplinary Process Procedures**

UWS Chapter 17 is a part of the University of Wisconsin Administrative Code and was adopted by the Board of Regents as a set of disciplinary procedures for the University System. It defines conduct by students that may result in university discipline because it causes harm either to another member of the University community or to the University itself. Due process for students accused of misconduct is an important part of these procedures. (Note: Academic misconduct is covered in UWS Chapter 14.)

UWS Chapters 17 and 18 apply to nonacademic student misconduct; faculty and academic staff are governed by UWS Chapters 4, 7, and 11.)

Nonacademic misconduct policies cover a broad spectrum of conduct involving students' behavior wherever it takes place. A student may be subject to discipline for conduct that is or already has been the subject of criminal action. This means that a student ticketed or arrested by law enforcement may also be subject to misconduct proceedings. A student may also be subject to discipline for conduct occurring in campus residence halls.

**UWS Chapter 17****Subchapter III — Procedures for Student Nonacademic Discipline in Sexual Misconduct Cases**

**UWS 17.151 Sexual misconduct subject to disciplinary action under ss. UWS 17.152 to 17.156.** In accordance with s. [UWS 17.08](#), the university may discipline a student for engaging in, attempting to engage in, or assisting others to engage in any of the following types of nonacademic misconduct. Sexual misconduct, as defined in this section, shall use the disciplinary procedure, hearing, appeal, and settlement processes detailed in ss. [UWS 17.152](#) to [17.156](#).

- (1) SEXUAL HARASSMENT.** Conduct on the basis of sex that satisfies any of the following:
  - (a)** Unwelcome conduct of a sexual nature directed towards a student, an employee, or a person participating in an education program or activity of the university that when using the legal "reasonable person" standard, is so severe, pervasive, and objectively offensive that it effectively denies the person equal access to the institution's education program or activity.
  - (b)** Unwelcome conduct of a sexual nature directed towards an individual that, when using the legal "reasonable person" standard, is so severe or pervasive and objectively offensive that it has the purpose or effect of unreasonably interfering with an individual's academic or work performance or participation in a university sponsored or supported activity.
- (2) SEXUAL ASSAULT.** An offense that meets any of the following definitions:
  - (a)** Rape: The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant.

- (b) Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of age or because of temporary or permanent mental incapacity.
  - (c) Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law as per s. [944.06](#), Stats.
  - (d) Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent as per s. [948.02](#), Stats.
- (3) DATING VIOLENCE.** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- (4) DOMESTIC VIOLENCE.** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a persons who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Wisconsin, or by any other person against an adult or youth individual who is protected from that person's acts under the domestic or family violence laws of Wisconsin as per ss. [813.12 \(1\) \(am\)](#) and [968.075](#), Stats.
- (5) STALKING.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.
- (6) SEXUAL EXPLOITATION.** Attempting, taking or threatening to take nonconsensual sexual advantage of another person. Examples include:
  - (a) Engaging in any of the following conduct without the knowledge and consent of all participants:**
    - 1.** Observing, recording, or photographing private body parts or sexual activity of one or more complainants.
    - 2.** Allowing another person to observe, record, or photograph sexual activity or private body parts of one or more complainants.
    - 3.** Otherwise distributing recordings, photographs, or other images of the same of one or more complainants.
  - (b) Masturbating, touching one's genitals, or exposing one's genitals in complainant's presence without the consent of complainant, or inducing another person to do the same.**
  - (c) Dishonesty or deception regarding the use of contraceptives or condoms during the course of sexual activity.**
  - (d) Inducing incapacitation through deception for the purpose of making another person vulnerable to non-consensual sexual activity.**
  - (e) Coercing the complainant to engage in sexual activity for money or anything of value.**
  - (f) Threatening distribution of any of the following, to coerce the complainant into sexual activity or providing money or anything of value:**
    - 1.** Photos, videos, or recordings depicting private body parts or sexual activity of one or more persons.
    - 2.** Other information of a sexual nature, including sexual history or sexual orientation.



**UWS 17.152 Sexual misconduct disciplinary procedure.**

- (1) PROCESS.** The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. [UWS 17.085 \(1\)](#), for sexual misconduct defined in s. [UWS 17.151](#), and conduct described in s. [UWS 17.09](#) may be consolidated with sexual misconduct charges pursuant to this section and consistent with s. [UWS 17.08](#). When responding to sexual misconduct, the university may take the following actions:
- (a)** The university may consolidate disciplinary procedures as to allegations of sexual misconduct, as defined in s. [UWS 17.151](#), against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual misconduct arise out of the same facts or circumstances.
  - (b)** In consultation with the complainant, the university may choose to address allegations of sexual misconduct with non-disciplinary measures outside the procedures of this chapter. Non-disciplinary measures may include supportive measures and protective measures for complainant, which may or may not involve the respondent.
- (2) TITLE IX MISCONDUCT.** Either a complainant or the Title IX Coordinator may file the formal Title IX complaint as defined in s. [UWS 17.02 \(8m\)](#). Unless a formal Title IX complaint is dismissed under par. (a) or (b), sexual misconduct under this section shall also be considered “Title IX misconduct” and require associated process. Dismissals will be handled as follows:
- (a)** The university shall dismiss a formal Title IX complaint that does not meet all of the following requirements:
    - 1. The alleged conduct is on the basis of sex and meets the definitions of sexual harassment, as defined in s. [UWS 17.151 \(1\) \(a\)](#), or sexual assault, dating violence, domestic violence, or stalking, as defined in s. [UWS 17.151 \(2\) to \(5\)](#).
    - 2. The alleged conduct occurred within a university “education program or activity,” as defined in s. [UWS 17.02 \(7m\)](#).
    - 3. The alleged conduct occurred against the complainant while in the United States.
    - 4. The complainant is participating in or attempting to participate in the university's education program or activity at the time the complaint is filed.
  - (b)** The university may dismiss a formal Title IX complaint if any of the following conditions are met at any time during the disciplinary procedure or hearing:
    - 1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal Title IX complaint or any allegations therein.
    - 2. The respondent is no longer enrolled in the university.
    - 3. Specific circumstances prevent the university from gathering evidence sufficient to reach a determination as to the formal Title IX complaint or allegations therein.
  - (c)** Upon dismissal of a formal Title IX complaint, the university shall promptly send written notice of the dismissal and reason therefore simultaneously to the complainant and respondent. The complainant and respondent have the right to appeal the dismissal of a formal Title IX complaint under s. [UWS 17.154 \(1\)](#).
  - (d)** Dismissal of a formal Title IX complaint does not preclude other university action under this chapter.
- (3) NOTICE OF INVESTIGATION.** When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly distribute a written notice of investigation in person, by

telephone or by electronic mail, to the complainant and respondent. The notice of investigation shall include all of the following:

- (a)** The details known at the time of issuing notice, including:
    - 1. The identities of the complainant and respondent involved in the incident, if known.
    - 2. The conduct allegedly constituting sexual misconduct.
    - 3. The date and location of alleged incident, if known.
  - (b)** Notice to the complainant and respondent that they may have an advisor of their choice, who may be an attorney.
  - (c)** Notice to the complainant and respondent that they may inspect and review evidence collected during the investigation.
  - (d)** Notice that making a knowingly false statement or refusing to comply regarding a university matter may violate s. [UWS 17.09 \(11\)](#) and could result in additional sanctions.
  - (e)** Notice that the respondent is presumed not responsible for the alleged sexual misconduct until a determination regarding responsibility is made at the conclusion of the disciplinary procedure.
  - (f)** Notice if the sexual misconduct disciplinary procedure also involves Title IX misconduct.
  - (g)** Information about the nonacademic misconduct process available under this chapter and about any available informal resolution process.
  - (h)** If, during the course of an investigation, the university decides to investigate allegations that are not included in the notice of investigation, the university shall send an amended notice of investigation with additional allegations.
- (4) INVESTIGATION.** During the investigation, the investigating officer shall do all of the following:
- (a)** Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
  - (b)** Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
  - (c)** Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; the university may, however, establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
  - (d)** Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
  - (e)** Not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains that party's voluntary, written consent to do so for a grievance process under this section.
- (5) REVIEW OF EVIDENCE.** Prior to completion of the final investigative report, as described in sub. (6), the university shall provide the complainant and respondent and their advisors, if any:

- (a) The evidence gathered during the university's investigation that is directly related to the allegations of sexual misconduct, in an electronic format or hard copy, regardless of whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. This shall include information upon which the university does not intend to rely in reaching a determination regarding responsibility as well as any inculpatory or exculpatory evidence.
- (b) At least 10 days to submit a written response to the evidence, which the investigator shall consider prior to completion of the final investigative report.
- (6) FINAL INVESTIGATIVE REPORT. The investigator shall create an investigative report that fairly summarizes relevant evidence. The final investigative report may contain recommended determinations as to whether sexual misconduct occurred and specification of any sanction recommended. The final investigative report shall be delivered simultaneously to the respondent and complainant and their advisors, if any, for their review and response at least 10 days prior to a hearing. Upon distribution of the final investigative report to the complainant and respondent, the following conditions shall apply:

  - (a) The complainant and respondent have the right to a hearing under s. [UWS 17.153](#) for a formal determination as to whether sexual misconduct occurred, potential disciplinary sanctions, or both.
  - (b) The university shall proceed under s. [UWS 17.153](#) to schedule a hearing on the matter. A hearing shall be conducted unless the complainant and respondent waive, in writing, the right to such a hearing or otherwise voluntarily choose to proceed with a settlement agreement or informal resolution under s. [UWS 17.156](#).

#### **UWS 17.153 Sexual misconduct hearing.**

- (1) The university shall have the right to decide whether a hearing examiner or hearing committee shall hear the matter.
- (2) The university shall take the necessary steps to convene the hearing and shall schedule it within 15 days of the distribution of the final investigative report. The hearing shall be conducted within 45 days of the distribution of the final investigative report, unless a different time period is mutually agreed upon by the complainant, respondent and university or is ordered or permitted by the hearing examiner or committee.
- (3) No less than 10 days in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, the final investigative report and any additional available information of the type described in s. [UWS 17.152 \(4\)](#).
- (4) The hearing shall be conducted in accordance with all of the following guidance and requirements:

  - (a) The hearing process shall further the educational purposes and reflect the university context of nonacademic misconduct proceedings. The process need not conform to state or federal rules of criminal or civil procedure, except as expressly provided in this chapter.
  - (b) Both the complainant and respondent shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on their own behalf, and the right to be accompanied by an advisor of their choice. The advisor may be a lawyer. In accordance with the educational purposes of the hearing, the complainant and respondent are expected to respond on their own behalf to questions asked of them during the hearing.
  - (c) The hearing examiner or committee:

    1. Shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or unduly repetitious testimony.
    2. May not permit questions and evidence about the complainant's sexual predisposition or prior sexual behavior unless:

- a. Such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
    - b. The questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
  3. Shall observe recognized legal privileges including those described in s. [UWS 17.152 \(4\) \(e\)](#).
  4. May take reasonable steps to maintain order and adopt procedures for the questioning of parties or witnesses appropriate to the circumstances of the testimony, provided the advisors for the complainant and respondent are allowed to effectively cross-examine any party or witness.
- (5)** The party's advisors shall conduct cross examination directly, orally, and in real time by the party's advisor. A party may not personally conduct cross examination. The following conditions shall apply:
- (a)** If a party does not have an advisor at the hearing to conduct cross-examination, the university shall provide someone, without fee or charge, who may or may not be an attorney, to conduct cross-examination.
  - (b)** Before a party or witness answers a cross-examination or other question, the hearing examiner or committee shall first determine whether a question is relevant or not and explain any decision to exclude those questions as not relevant.
  - (c)** The hearing examiner or committee may not draw an inference regarding responsibility based solely on a party's or a witness's absence from the hearing or refusal to answer cross-examination questions.
  - (d)** At hearings involving Title IX misconduct, if a party or a witness does not submit to cross-examination at the hearing, then the hearing examiner or committee may not rely on any statement of that party or witness made prior to or during the hearing in reaching a determination regarding responsibility.
- (6)** If a party fails to appear at a scheduled hearing and to proceed, the hearing examiner or committee may issue a decision based upon the information provided except as described in sub. [\(5\) \(d\)](#).
- (7)** The hearing examiner or committee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of all evidence presented at the hearing. The respondent and the complainant may access the record, except as may be precluded by applicable state or federal law.
- (8)** The hearing examiner or committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing, using the preponderance of the evidence standard. The written report shall include all of the following:
- (a)** Identification of the allegations potentially constituting sexual misconduct.
  - (b)** A description of the procedural steps taken from the receipt of the initial complaint through the determination, including any notifications to the complainant and respondent, interviews with the complainant and respondent and witnesses, site visits, methods used to gather other evidence, and hearings held.
  - (c)** Findings of fact supporting the determination.
  - (d)** Conclusions regarding the application of this chapter to the facts.
  - (e)** A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility under this subchapter, including any Title IX misconduct, any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the university's education program or activity shall be provided by the university to the complainant.

- (f) One or more of the disciplinary sanctions listed in s. [UWS 17.085 \(1\)](#), if imposed by the hearing examiner or committee.
  - (g) Procedures and permissible bases for the complainant and respondent to appeal.
- (9) The decision of the hearing examiner or committee shall be prepared within 14 days of the hearing, and delivered simultaneously to the respondent and the complainant, excluding information that may be precluded by state or federal law. If an appeal is filed, the decision regarding responsibility becomes final on the date the university provides the complainant and respondent with the written determination of the result of the appeal. If no appeal is filed, the decision regarding responsibility becomes final once the last date to appeal passes.
- (10) Disciplinary hearings are subject to s. [19.85](#), Stats., Wisconsin Open Meetings of Governmental Bodies, and may be closed if the respondent or complainant requests a closed hearing or if the hearing examiner or committee determines it is necessary to hold a closed hearing. Deliberations of the committee shall be held in closed session, in accordance with s. [19.85](#), Stats. As such, proper notice and other applicable rules shall be followed.

**UWS 17.154 Appeal to the chancellor for sexual misconduct.**

- (1) The respondent or complainant may appeal in writing to the chief administrative officer within 14 days of the date of the written decision for a review, based on the record, of the following:
- (a) A dismissal of a formal Title IX complaint.
  - (b) The written decision of the hearing examiner or committee.
- (2) The chief administrative officer has 30 days from receipt of an appeal to respond in writing simultaneously to both the complainant and respondent and shall sustain the decision unless the chief administrative officer finds any of the following:
- (a) The information in the record does not support the findings or decision.
  - (b) A procedural irregularity affected the outcome of the matter.
  - (c) The decision was based on factors proscribed by state or federal law.
  - (d) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter.
  - (e) The Title IX Coordinator, investigator, hearing examiner, or a member of the hearing committee had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- (3) If the chief administrative officer makes a finding under sub. (2), the chief administrative officer may return the matter for consideration, or may invoke an appropriate remedy of their own. The chief administrative officer's written decision describing the result of the appeal and the rationale for the result shall be communicated simultaneously to the respondent and complainant.
- (4) When an appeal is filed, the chief administrative officer shall notify the other party in writing and give both the complainant and respondent a reasonable, equal opportunity to submit a written statement supporting or challenging the outcome.

**UWS 17.155 Discretionary appeal to the Board of Regents for sexual misconduct.** University decisions under ss. [UWS 17.152](#) to [17.154](#) shall be final, except that the board of regents may, at its discretion, grant a review upon the record, upon written request submitted by any party within 14 days of the final university decision. If the board of regents grants a review upon the record, it shall:

- (1) Notify the other party in writing and give both the complainant and respondent a reasonable, equal opportunity to submit a written statement supporting or challenging the outcome.
- (2) Issue a written decision describing the result of the appeal and the rationale for the result and provide the written decision simultaneously to both the complainant and respondent.

**UWS 17.156 Settlement for sexual misconduct.**

- (1) The procedures set forth in this chapter allow the university, the respondent, and the complainant to voluntarily enter into a settlement agreement or informal resolution regarding the alleged misconduct, any time after the notice of investigation has been distributed to the complainant and respondent and prior to any final determination regarding responsibility. Any such agreement and its terms shall be in writing and signed by the complainant, respondent, and the Title IX Coordinator or designee except in any of the following circumstances:
  - (a) There is no identified complainant.
  - (b) The complainant has chosen not to participate in proceedings pursuant to this subchapter.
  - (c) Title IX misconduct is involved, and the complainant has withdrawn the formal Title IX complaint.
- (2) In the circumstances described in sub. (1), the agreement and its terms may be signed by only the respondent and the Title IX Coordinator or designee. The case is concluded when a copy of the signed agreement is delivered to the complainant, if any, and respondent. At any time prior to agreeing to a resolution, either party has the right to withdraw from the settlement process and resume the process under ss. [UWS 17.152](#) to [17.155](#).

#### 14h. Possible Sanctions

**UWS 17.085 Disciplinary sanctions.**

- (1) The disciplinary sanctions that may be imposed for nonacademic misconduct, in accordance with the procedures of ss. [UWS 17.11](#) to [17.13](#), and [17.152](#) to [17.154](#), are any of the following:
  - (a) A written reprimand.
  - (b) Denial of specified university privileges.
  - (c) Payment of restitution.
  - (d) Educational or service sanctions, including community service.
  - (e) Disciplinary probation.
  - (f) Imposition of reasonable terms and conditions on continued student status.
  - (g) Removal from a course in progress.
  - (h) Enrollment restrictions on a course or program.
  - (i) Suspension.
  - (j) Expulsion.
- (2) One or more of the disciplinary sanctions listed in sub. (1) may be imposed for an incident of nonacademic misconduct.

- (3) Disciplinary sanctions shall not include the termination or revocation of student financial aid; however, this shall not be interpreted as precluding the individual operation of rules or standards governing eligibility for student financial aid under which the imposition of a disciplinary sanction could result in disqualification of a student for financial aid.

#### **14i. Confidentiality**

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law. Victims may request that directory information on file with the University be withheld by request by contacting the Registrar's Office (715-346-2558; 101 Student Services Center, Stevens Point).

Regardless of whether a victim has opted-out of allowing the University 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 institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University 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.

#### **14j. Rights of Victims & Alleged Assailants of Sexual Assault**

36.11(22)(1)(c) Wis. Stats.

- The right of the victim/survivor and alleged assailant to have the same opportunity to have one representative accompany them in a university disciplinary hearing.
- The right of the victim/survivor and alleged assailant to be informed of the outcome of any disciplinary hearing involving sexual assault.
- The right of the victim/survivor and alleged assailant right to appeal the outcome of a formal disciplinary hearing.

#### **14k. Rights for alleged cases of Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present.

- The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings.

- The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused.
- Disciplinary proceedings that provide a prompt, fair, and impartial initial investigation and final resolution.
- Disciplinary proceedings that are conducted by panel members who receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Training topics include information about the student conduct process, standards of evidence, questioning, and interpersonal violence.
- The same opportunity to have others present throughout disciplinary proceedings as the accused, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding.
- Both parties shall be simultaneously informed, in writing, of the outcome of any disciplinary proceeding that arises from an allegation of sexual assault, domestic violence, dating violence and/or stalking; of the procedures for either party to appeal the outcome; of any change to the results that occurs prior to the time that such results become final; and of when such results become final. At no time can a victim be required to keep the outcome confidential or be prohibited from discussing the case.
- Victims have the same rights as the accused to appeal the outcome of a disciplinary proceeding.
- Victims shall be informed of their options to notify law enforcement.
- Students and employees will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available to victims, both within the institution and in the community.
- Victims shall be notified, in writing, of options for changing academic, transportation, work, living situations and protective measures.

In addition to the above, Chap. 950 Wis. Stats., provides a victim's bill of rights, 950.01 Legislative intent. In recognition of the civic and moral duty of victims and witnesses of crime to fully and voluntarily cooperate with law enforcement and prosecutorial agencies, and in further recognition of the continuing importance of such citizen cooperation to state and local law enforcement efforts and the general effectiveness and well-being of the criminal justice system of this state, the legislature declares its intent, in this chapter, to ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy and sensitivity; and that the rights extended in this chapter to victims and witnesses of crime are honored and protected by law enforcement agencies, prosecutors and judges in a manner no less vigorous than the protections afforded criminal defendants. For more details on Wis. Stats. Chap. 950 go to: <http://folio.legis.state.wi.us/>.

## **14I. Risk Reduction**

### **General guidance**

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](http://www.rainn.org))

- 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.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.



- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- 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.
- 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.).
- Avoid or limit alcohol consumption. Alcohol does not cause sexual assault, but it is often involved or used as a tool. The more alcohol you consume, the more intoxicated you become and the more vulnerable you are to victimization.
- 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.
- 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.
- 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.
- If you suspect you or a friend has been drugged, call 911. Be explicit with the details so it can be thoroughly investigated and you can receive proper treatment.
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - 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.
  - Be true to yourself. Do not feel obligated to do anything you do not 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.
  - Have a code word with your friends or family so that if you do not 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.
  - Lie. If you do not 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.
- 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?
- 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.

**Be an active bystander.**

If you witness something happening, step in. 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." We want 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. Further information regarding bystander intervention may be found. 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.

- 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.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Create a diversion. Even if you don't know the person who looks in trouble, you can still help. Get them to a safe place
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance
- Remember, it is your campus, so it's your business.

### **Support survivors**

Believe someone who discloses a sexual assault, abusive relationship or experiences with stalking or cyber stalking. Do what you can to connect the person to resources. Encourage the survivor to seek medical attention. This is an important step to ensure the individual is not physically injured. This is also a time when medical staff can connect the person with an advocate and help them to contact law enforcement.

### **Signs of an abusive dating partner**

- Calls you names, insults you or continually criticizes you
- Does not trust you and acts possessive or jealous
- Tries to isolate you from family or friends
- Monitors where you go, who you call and who you spent time with
- Controls finances or refuses to share money
- Punishes you by withholding affection
- Expects you to ask permission
- Threatens to hurt you, your family, your pets or belongings
- Threatens and/or uses a weapon against you
- Has ever forced, coerced or manipulated you into having sex or performing sexual acts
- Accuses you of cheating or is often jealous of your relationships with others of the opposite gender
- Trapped you in your apartment or dorm room and kept you from leaving
- IM, text messages and calls you obsessively to find out where you are and what you are doing.

### **Avoid being a perpetrator**

We all bear the burden of preventing sexual assault and other forms of interpersonal violence. There are many ways to decrease the likelihood of being a perpetrator.

- Remember that sexual assault is a crime. It is never acceptable to use pressure or force in sexual situations, no matter what the circumstances.
- Understand consent and adopt a healthy, respectful approach to sexual relations.
- Silence and passivity are not considered consent.

- A person cannot give consent if they are intoxicated or incapacitated by alcohol or drugs.
- Listen carefully. If someone is not being direct, ask for clarification. Do not fall for the common stereotype that when someone says “No” it really means “Yes.” “No” means “No.”
- Do not automatically assume that sex is inevitable just because someone drinks heavily, dresses provocatively, or agrees to go to your room.
- Be prepared to resist pressure from friends to participate in violent or criminal acts. Get involved in a situation if someone is at risk.

### **Preventing Stranger Assault and Other Forms of Interpersonal Violence:**

#### **Walking on or off campus**

- Always be aware of what is going on around you. Stay alert to your surroundings.
- Walk with confidence. Hold your head up / shoulders straight.
- At night, stick to well-lighted, populated areas and walk with another person. Avoid walking alone or in isolated areas.
- Use campus escort services.
- Take special precautions in parking lots, stairwells, elevators, bathrooms, and dark areas with shrubbery. Studies show that many assaults by strangers occur in these places.
- If you suspect you are being followed, go to a place where there are other people as soon as possible. If you choose to run, run as fast as you are able and scream to attract attention or summon help.
- Follow your gut instincts. If you sense that you may be at risk or in danger, try to get out of the situation. For example, if you see a suspicious looking person or someone who makes you feel uncomfortable in a parking lot, leave the area. Report your suspicions to the authorities.

#### **In Residence Halls**

- Lock your door at all times, even if you run down the hall for just a few minutes to visit a friend.
- Do not prop security doors open.
- In residence halls accessed only by a special key, do not let anyone without such a key enter, no matter how presentable their appearance or how plausible their request seems. Simply tell them, “I would like to help you out, but we are very concerned about security in this residence,” and direct them to campus security for assistance.
- Be especially aware of security during vacation periods when there are fewer people on campus.

### **14m. Sexual Harassment**

#### **Definitions and Penalties for Sexual Harassment**

36.11(22)(1)(a) Wis. Stats.

University policy as well as state and federal law prohibit sexual harassment. Some acts may constitute both assault and sexual harassment. Unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is a condition of employment, academic progress, or participation in a university program
- Submission to or rejection of such conduct influences employment, academic or university program decisions
- The conduct interferes with an employee’s work or a student’s academic career, or creates an intimidating, hostile, or offensive work, learning or program environment

**Tangible Action or Quid Pro Quo (This for That) Sexual Harassment**

Occurs when employment or academic decisions resulting in a significant change in status are based on an employee or student's submission to or rejection of unwelcome verbal or physical sexual conduct.

**Hostile Environment Sexual Harassment Occurs when verbal, non-verbal and/or physical conduct is:**

- Sexual and/or based on gender
- Unwelcome, and
- Sufficiently severe and pervasive to interfere with a person's work, learning, or program performance or to create a hostile, intimidating or offensive environment.

The determination of sexual harassment is made on a case-by-case basis looking at the whole record, including the circumstances (such as the nature of the sexual advances) and the context in which the alleged incidents occurred. Some behaviors, which may be acceptable in certain contexts, are inappropriate in the workplace or classroom, particularly if an objection is expressed.

Key points about sexual harassment include:

- Differences in power or status can be a significant component in sexual harassment. A person who seems to acquiesce to sexual conduct may still experience tangible action harassment or hostile environment harassment if the conduct is unwelcome.
- Harassment can occur between men and women or between members of the same gender.
- Sexual harassment may or may not involve a tangible injury (e.g., economic loss, lowered grades). A sexually harassing environment, in and of itself, may constitute a harm.
- Sexual harassment must be addressed and corrected regardless of the position or status of the harasser or the person being harassed.
- Conduct is not always offensive or unwelcome to the same degree when perceived by different people. Courts use a "reasonable person" standard to determine whether the contested behavior constitutes sexual harassment.
- In an academic or program setting, offenders can be faculty, instructors, lecturers, teaching assistants, coaches, tutors, or even fellow students or program participants. In the workplace, offenders can be supervisors, co-workers, or non-employees such as vendors or customers.

Information about the sexual harassment policy and procedures on campus:

<https://www.uwsp.edu/titleIX/Pages/policies.aspx>.

**PROTECTIVE BEHAVIORS**

36.11(22)(1)(d) Wis. Stats.

**If You Are Concerned About Possible Sexual Harassment – Faculty/Staff**

We encourage early contact—consultation is not escalation. Timely discussion of people's concerns may allow resolution before alternatives become limited. The university will protect confidentiality to the extent possible under the law.

- Seek advice. Consult with your department chair, another divisional resource person, Human Resources, or another campus resource (see page 4) to discuss options for resolution.
- Consider informing the individual(s) involved that the conduct is unwelcome and that you expect it to stop.
- Keep notes of what happened, when, where, and who was present. Retain copies of any correspondence.

- You may find it helpful to seek support from a trusted colleague. Be aware of your interest in keeping the matter as confidential as possible.

### **If You Are Accused of Sexual Harassment**

- Early consultation may help avoid claims of retaliation and facilitate resolution of the situation.
- You will be informed of any complaint filed against you and provided with an opportunity to respond to the specific allegations.
- Staff should contact Human Resources.
- Students should contact the Dean of Students Office.
- You may choose to seek private legal advice.
- Be honest when questioned about alleged conduct and explain its context.

### **If You Are in a Position of Authority**

*(E.g., Principal Investigator, Manager/ Supervisor, Department Chair/Director, Dean)*

Sexual harassment can arise in a healthy environment, but it often develops in negative climates. If you have concerns about the climate in your area, consult with one of the Resources listed on page 4 to learn about proactive measures to improve the climate for all individuals.

- Distribute the Sexual Harassment Policy to new faculty and staff and to all employees periodically and when there are modifications to the policy.
- Periodically remind employees of your expectation that they maintain a harassment free environment. Provide resources (e.g., this document, a link to the sexual harassment Web site).
- Schedule Sexual Harassment Informational Sessions and promote attendance by all department members.
- Encourage employees and students to come forward with questions, concerns, and allegations
- Take every complaint seriously and ensure that others do as well. Ensure that your department appropriately addresses all complaints. If you have questions about the scope of your responsibility, contact Human Resources or the Dean of Students Office.
- Keep allegations confidential except on a “need to know” basis.
- Ensure that no retaliation occurs against the person making the allegations and that the person charged with harassment is not assumed guilty and/or disciplined on the basis of allegations.

For the protection of all parties, comply with all applicable university procedures and ensure that your department fully cooperates with any investigation.

### **Sexual Assault and Sexual Harassment**

Encourage the individual to contact someone who can explain alternatives available to resolve the situation (a Title IX Coordinator or Investigator, department chair or other divisional resource, Human Resources, Dean of Students Office or other campus resources listed on page 4).

If requested, and if you are comfortable doing so, assist the individual in reporting the behavior. Keep allegations confidential, except as necessary to cooperate with appropriate university officials.

**OTHER DEFINITIONS AND PENALTIES 36.11(22)(1)(a) Wis. Stats.****Sexual Harassment (In Employment)**

111.32(13) Wis. Stats.

“Sexual harassment” means unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature.

“Sexual harassment” includes conduct directed by a person at another person of the same or opposite gender.

“Unwelcome verbal or physical conduct of a sexual nature” includes but is not limited to the deliberate, repeated making of unsolicited gestures or comments of a sexual nature; the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes; or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employee’s work performance or to create an intimidating, hostile or offensive work environment.

**Harassment**

947.013 Wis. Stats.

947.013(1)(a)

“Course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.

947.013(1)(b)

“Credible threat” means a threat made with the intent and apparent ability to carry out the threat.

947.013(1)(c)

“Personally identifiable information” has the meaning given in s. 19.62 (5).

947.013(1)(d)

“Record” has the meaning given in s. 19.32 (2).

947.013(1)(1m)

947.013(1m)(a)

Strikes, shoves, kicks or otherwise subjects the person to physical contact or attempts or threatens to do the same.

947.013(1m)(b)

Engages in a course of conduct or repeatedly commits acts which harass or intimidate the person and which serve no legitimate purpose.

947.013(1r)

Whoever violates sub. (1m) under all of the following circumstances is guilty of a Class A misdemeanor:

947.013(1r)(a)

The act is accompanied by a credible threat that places the victim in reasonable fear of death or great bodily harm.

947.013(1r)(b)

The act occurs while the actor is subject to an order or injunction under s. 813.12, 813.122 or 813.125 that prohibits or limits his or her contact with the victim.

947.013(1t)

Whoever violates sub. (1r) is guilty of a Class E felony if the person has a prior conviction under this subsection or sub. (1r), (1v) or (1x) or s. 940.32 (2), (2m), (3) or (3m) involving the same victim and the present violation occurs within 7 years of the prior conviction.

## 947.013(1v)

Whoever violates sub. (1r) is guilty of a Class D felony if he or she intentionally gains access to a record in electronic format that contains personally identifiable information regarding the victim in order to facilitate the violation under sub. (1r). 947.013(1x) Whoever violates sub. (1r) under all of the following circumstances is guilty of a Class D felony.

## 947.013(1x)(a) (a)

The person has a prior conviction under sub. (1r), (1t) or (1v) or this subsection or s. 940.32 (2), (2m), (3) or (3m).

947.013(1x)(b) (b) The person intentionally gains access to a record in order to facilitate the current violation under sub. (1r). 947.013(2) (2) This section does not prohibit any person from participating in lawful conduct in labor disputes under s. 103.53.

**Sexual Exploitation by a Therapist**

## 940.22 Wis. Stats.

## 940.22(2)

Sexual exploitation by therapist; duty to report. (2) Sexual contact prohibited. Any person who is or who holds himself or herself out to be a therapist and who intentionally has sexual contact with a patient or client during any ongoing therapist-patient or therapist-client relationship, regardless of whether it occurs during any treatment, consultation, interview or examination, is guilty of a Class F felony. Consent is not an issue in an action under this subsection.

## 940.22(3) Reports of sexual contact.

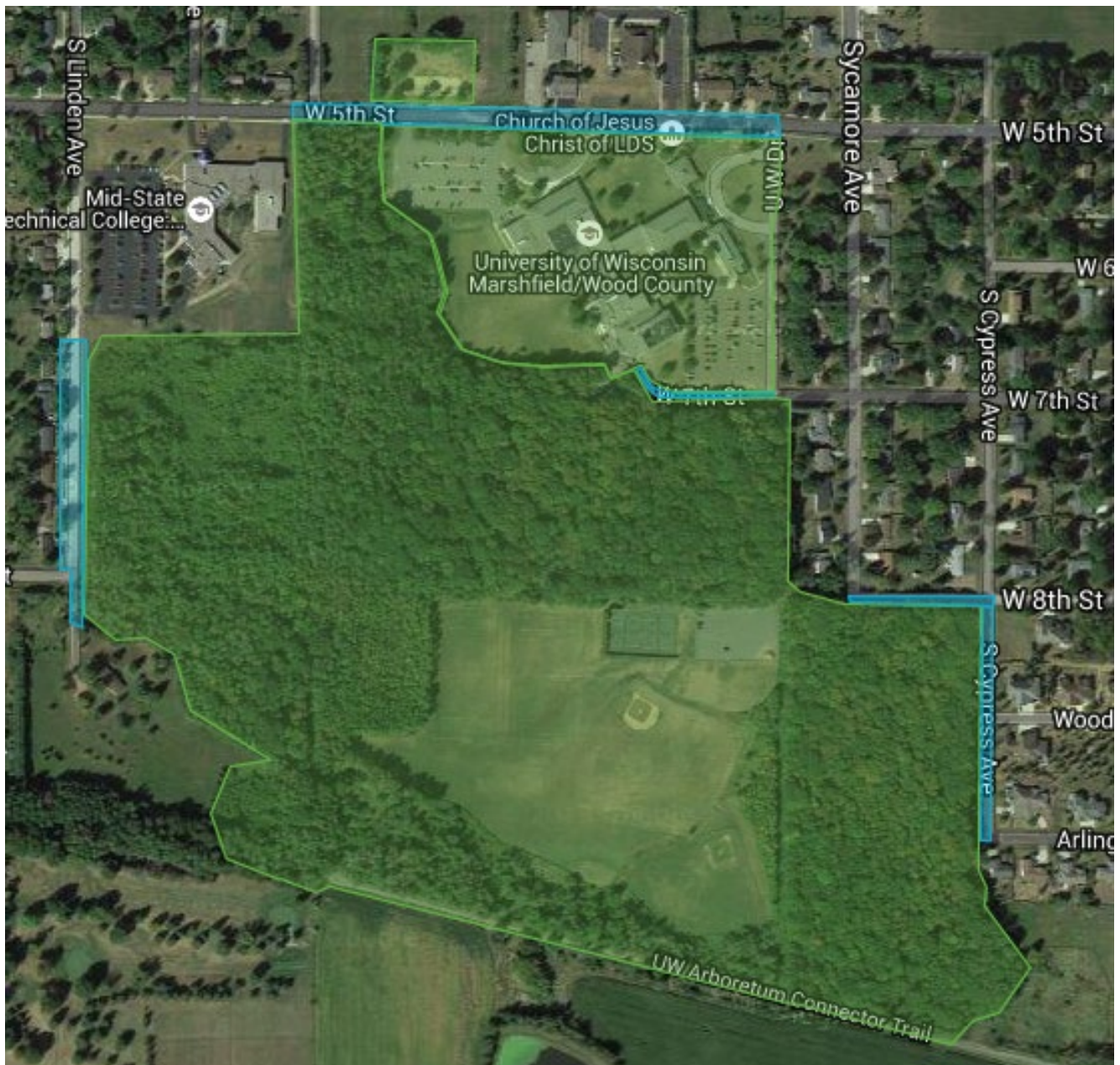
940.22(3)(a) If a therapist has reasonable cause to suspect that a patient or client he or she has seen in the course of professional duties is a victim of sexual contact by another therapist or a person who holds himself or herself out to be a therapist in violation of sub. (2), as soon thereafter as practicable the therapist shall ask the patient or client if he or she wants the therapist to make a report under this subsection. The therapist shall explain that the report need not identify the patient or client as the victim. If the patient or client wants the therapist to make the report, the patient or client shall provide the therapist with a written consent to the report and shall specify whether the patient's or client's identity will be included in the report.

# University of Wisconsin-Stevens Point at Marshfield Campus

## 2000 W. 5<sup>th</sup> Street, Marshfield, WI 54449 (Wood County)

For an online, zoomable map:

<https://drive.google.com/open?id=1BnVcQRTiKgECAC2SdxMESIFPwig&usp=sharing>



- On-campus geography for UW-Stevens Point is outlined in **green**.
- UW-Stevens Point at Marshfield on campus property includes the University Arboretum and Arboretum Connector Trail.
- Public properties within or adjacent to the campus are outlined in **blue**.



**Crime Statistics**  
**UW-Stevens Point at Marshfield**  
**2020, 2021 and 2022 Calendar Years**

**NOTE: Unfounded crimes for UW-Stevens Point at Marshfield: 2020 - zero, 2021 – zero, 2022 - zero.**

Crime	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Murder / non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	1	0	0	0	1
	2022	0	0	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

### Hate Crimes - 2020, 2021 and 2022 Calendar Years

2020: No reported hate crimes on the Marshfield campus.

2021: No reported hate crimes on the Marshfield campus.

2022: No reported hate crimes on the Marshfield campus.

### Violence Against Women Act Statistics UW-Stevens Point at Marshfield 2020, 2021, and 2022 Calendar Years

Type of Incident	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Domestic Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

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**Arrests and Referrals for Disciplinary Action:  
Liquor Law, Drug Law, and Weapons Possession Violations  
UW-Stevens Point at Marshfield  
2020, 2021 and 2022 Calendar Years**

Law Violation	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Liquor law violations - Arrests	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0*
Liquor law violations - Disciplinary referrals	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0*
Drug law violations - Arrests	2020	0	0	0	0	0
	2021	1	0	0	0	1
	2022	0	0	0	0	0
Drug law violations - Disciplinary referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons Possessions - Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons Possession - Disciplinary referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

\* See page 10 of this report, under *Referrals for Disciplinary Action per the Clery Act*, for a description of how alcohol arrests are categorized in the State of Wisconsin.

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# University of Wisconsin-Stevens Point at Marshfield

## Clery Act Policy Statements and Information

NOTE: Students, faculty, staff, and guests associated with the UW-Stevens Point at Marshfield campus are subject to all policies and procedures of the University of Wisconsin-Stevens Point. **Only campus-specific policy and procedure differences are noted here.**

### 1. Law Enforcement Policies

UW-Stevens Point at Marshfield does not have a campus law enforcement department and does not contract for security.

#### 1a. Relationships with Local Law Enforcement Agencies

UW-Stevens Point at Marshfield maintains a close working relationship with the local law enforcement agencies and the Marshfield Police Department is the first point of contact regarding potential crimes on campus. Both formal and informal meetings are held to discuss campus security concerns.

#### 1b. Agreements with Local Law Enforcement

UW-Stevens Point at Marshfield does not have any formal agreements or MOU with local law enforcement agencies

### 2. Reporting Procedures

#### 2a. Accurate and Prompt Reporting of all Crimes

UW-Stevens Point at Marshfield encourages all students, faculty, staff, and guests to accurately and promptly report crimes if they are a victim or a witness.

#### 2b. Reporting of Crimes

Crimes or other emergencies that occur on or off campus should be reported to the Marshfield Police Department by calling 911, by calling the non-emergency number 715-387-4394, or by going to the department at 110 W. 1<sup>st</sup> Street, Marshfield, WI 54449.

The crimes of rape, fondling, statutory rape, or incest, as well as VAWA offenses of domestic violence, dating violent, or stalking may be reported directly to the Title IX Coordinator, 2100 Main Street (133 Old Main), Stevens Point, WI 54481, 715-346-2606.

Students, faculty, and staff are also encouraged to report crimes/violations of university policies to the Dean of Students to seek assistance for themselves or to begin an investigation: 2100 Main Street (212 Old Main) Stevens Point, WI 54481, 715-346-2611. Reports can also be made online at the Dean of Students website: <http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

Students, faculty, and staff can also share information with the Campus Executive of UW-Stevens Point at Marshfield, located in the Solution Center on campus.

## 2c. Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the university conduct process or criminal justice system, you may still want to consider making a confidential report. The Marshfield Police Department can file a report on the details of the incident without revealing your identity. You may also submit an anonymous report online through the website of the Office of the Dean of Students at:

<http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a potential pattern of crime regarding 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.

## 2d. Professional and Pastoral Counselors

Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

- Professional Counselor: An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.
  - UW-Stevens Point at Marshfield students can access counseling through the UWSP Counseling Center telehealth services.
- UW-Stevens Point at Marshfield does not employ any pastoral counselors

## 3. Timely Warning Procedures

### 3a. Timely Warning Reports Regarding the Occurrence of Clery Act Crimes

UW-Stevens Point at Marshfield will keep the community informed about safety and security matters on campus and maintain compliance with applicable features of the Clery Act (20 USC 1092(f)).

Decisions to issue a timely warning are made on a case-by-case basis in light of the available facts surrounding an incident or alleged crime. Some of the considerations prior to issuing a timely warning include:

- Nature of the crime (serious/non-serious, violent/non-violent)
- The continuing danger to the community or continuing crime pattern (yes/ no)
- The nature of the threat (general/specific target)
- The possible risk of compromising law enforcement efforts

### 3b. Issuing a Timely Warning

When UW-Stevens Point at Marshfield becomes aware of a situation that meets the criteria for a timely warning, the Campus Executive or their designee will issue a timely warning through all-campus email. For time-critical, urgent threats, the campus may use the *Pointer Alert* system.

If time permits, the Campus Executive or their designee will confer with local law enforcement, University Police and Security Services, and other University administrators prior to issuing a timely warning or emergency notification.

Timely warning notices may include information about the type of crime, a description of the assailant(s) if known, how those with information can connect to law enforcement, and safety precautions.

### **3c. Emergency / Immediate Notifications**

UW-Stevens Point has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

In the event of an emergency, UW-Stevens Point will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University 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.

If the Campus Executive, in conjunction with University Police, University 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 UW-Stevens Point community, UWSP Police and Security Services or the Campus Executive will initiate, determine the content of, and determine the appropriate segment or segments of the campus community to receive the notification. UWSP Police and Security Services or the Campus Executive will use some or all of the systems described below to communicate the threat to the UW-Stevens Point community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

UW-Stevens Point will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the Marshfield Police Department and/or Marshfield Fire Department and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

*Pointer Alerts* is the name for UW–Steven Point’s emergency notification system. The system is designed to provide information about an active emergency situation that requires the community to take immediate action in order to stay safe. Students and employees are automatically entered into the *Pointer Alert* via their university email accounts and their cell phone information provided in accesSPoint and at MyUWSystem, presuming phone numbers have been updated within each of these separate systems by the student or employee.

Depending on the exact nature of the situation, the system may utilize one or many of the components described below:

- Text messaging: UW-Stevens Point will text subscribers to reach mobile users who may be away from their computers or offices.

- UW-Stevens Point email: UW-Stevens Point email users may receive a mass e-mail warning message.
- Personal email: Students, faculty, and staff can add a personal email address.
- Campus network computers: The campus community is alerted to a concern via a full-screen pop-up.
- Campus webpages – banner at the top.

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information.

Follow-up information will be distributed using some or all of the identified communication systems.

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 UW-Stevens Point social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus UW-Stevens Point will follow its emergency notification procedures and provide follow-up information to the community as it is needed. The institution is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. 34 CFR 668.46(e)(3).

Students, faculty and staff are encouraged to update their contact information or learn more about the Pointer Alerts at <https://www.uwsp.edu/emergency/Pages/pointer-alerts.aspx>.

#### **4. Emergency Response and Evacuation Procedures**

The Office of Emergency Management on the main campus of UW-Stevens Point, serves all campuses of the University, to include UW-Stevens Point at Marshfield. Information about emergency response and evacuation procedures can be found on pg. 21 of this report at <https://www.uwsp.edu/emergency/Pages/default.aspx>.

#### **5. Addressing Criminal Activity Off Campus**

The Marshfield Police Department (MPD) has primary jurisdiction in all areas off campus. MPD works with University Police, the Campus Executive and the Dean of Students office on any serious incidents occurring off campus when a UW– Stevens Point student is involved in accordance with UWS Chapter 17.08.

#### **6. Security and Access to Campus Facilities**

Chapter UWS 21, Wisconsin Administrative Code, and institutional policies on file in the Office of the Vice Chancellor for Business Affairs, govern general access to and use of the facilities at UW–Stevens Point at Marshfield.

Security is provided in the maintenance of the university’s facilities through a number of mechanisms, including cameras, limitations on hours of operation, enforced policies on key allocation, restricting access to those bearing proper identification as university staff or students, and the provision of adequate lighting. Specific security mechanisms may vary with the type of university facility and are managed by the appropriate administrator of each facility. Emergencies may necessitate changes or alterations to any posted schedules.

## **7. Security Considerations Used in the Maintenance of Campus Facilities**

On an annual basis, UW-Stevens Point at Marshfield administrators and facilities staff conduct a campus security survey to assess landscaping, locks, alarms, lighting, and communications. Issues identified during the security survey are addressed by the department responsible for the facility or area of campus.

### **8a. Security Awareness Programs for Students and Employees**

#### **Emergency Management**

The Office of Emergency Management leads a required session for new employees of the University. The training focused on campus emergency procedures and Pointer Alerts.

#### **UW-Stevens Point University Police**

Crime prevention information, educational videos (such as: *Shots Fired on Campus* and *Flashpoint on Campus*) and timely warnings are available to students, faculty, and staff of UW-Stevens Point at Marshfield and are provided on their website at [www.uwsp.edu/protsv](http://www.uwsp.edu/protsv).

#### **Marshfield Police Department**

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#### **Office of the Dean of Students**

Information about services offered, education programs, incident reporting and safety tips. [www.uwsp.edu/dos](http://www.uwsp.edu/dos).

### **8b. Crime Prevention Programs for Students and Employees**

Students, faculty, staff, and guests associated with the UW-Stevens Point at Marshfield campus are subject to all policies and procedures of the University of Wisconsin-Stevens Point. Information about the University's Threat Assessment Team, general crime prevention tips, protective behaviors, and safety at home can be found on pg. 25 of this report.

NOTE: UW-Stevens Point at Marshfield does not have social fraternities or sororities, a student organization recognition process, or campus emergency telephones.

## **9. Alcohol and Drug Policies and Programs**

### **9a. Alcohol and Drug Policies**

Students, faculty, staff, and guests associated with the UW-Stevens Point at Marshfield campus are subject to all policies and procedures of the University of Wisconsin-Stevens Point.

Information about alcohol and drug policies to include UWS Chapter 17, UWS Chapter 18, and relevant Wisconsin State Statutes can be found starting on pg. 27 of this report.

### **9b. Substance Abuse Education Programs**

Substance abuse education programs for all students of UW-Stevens Point, regardless of campus, are coordinated by the Center for Prevention. Information about these programs can be found at <https://www.uwsp.edu/dos/aoda-ipv/Pages/default.aspx>.



### **Campus Resources for Employees**

For faculty and staff, Human Resources supports an Employee Assistance Program (EAP). Persons with treatment needs are referred to the EAP program.

### **10. Preparation and Disclosure of Crime Statistics**

University Police and Security Services prepared this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, law enforcement agencies with jurisdiction for other UW-Stevens Point properties, University Police, Housing and Residence Life, the Campus Activities and Student Engagement office, Emergency Management, the Division of Student Affairs and other campus offices. Each entity provides updated information on the educational efforts and programs to comply with the Clery Act.

Campus crime, arrest and referral statistics include those reported to the Office of the Dean of Students, UWSP University Police, designated campus officials (included but not limited to directors, deans, department heads, designated Housing and Residence Life staff, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. UWSP Counseling Center staff inform their clients of the procedures to report crime to the university on a voluntary or confidential basis. The online reporting process available through the Office of the Dean of Students website provides a mechanism for submitting anonymous reports.

Each year, an e-mail notification is made to all enrolled students as well as current faculty and staff that provided the web site to access this report. Copies of the report may also be obtained by contacting University Police and Security Services at [Police.and.Security.Services.Office@uwsp.edu](mailto:Police.and.Security.Services.Office@uwsp.edu) or by calling 715-346-3456. The web address for report is included in prospective student recruiting documents, on employment position postings, and online as part of student consumer information disclosures at <http://www.uwsp.edu/chancellor/heoa>.

### **11. Missing Student Notification**

A student shall be deemed missing when they are absent from the University for more than 24 hours without any known reason. All reports of missing students shall be directed to the Campus Executive, local law enforcement, and University Police and Security Services.

All residential students shall have the opportunity to identify an individual to be contacted by the institution in the event the student is determined missing. Contact information for the identified person is logged with the Property Manager of The Villas. If a missing student is under 18 years of age, the University is required to notify the parent or guardian of the missing student within 24 hours after they are determined to be missing.

#### **Missing Student Notification Procedures:**

Any report of a missing student, from whatever source, should immediately be directed to University Police.

When a student is reported missing University Police shall:

- Initiate an investigation to determine the validity of the missing person report.
- Contact the Vice Chancellor for Student Affairs.
- Make a determination as to the status of the missing student.
- Contact University Communications and Marketing.

- Notify the individual identified by the missing student as their emergency contact within 24 hours of making the determination that the student is missing.
- If the missing student is under the age of 18, notify the student's custodial parent or guardian as contained in the records of the University within 24 hours after they are determined to be missing.
- Notify the Marshfield Police Department within 24 hours after determining that student is missing so that NCIC entry can be made.
- Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UW-Stevens Point will notify the local law enforcement agency with jurisdiction in the area the student went missing, within 24 hours after determining that student is missing so that NCIC entry can be made.

The Vice Chancellor for Student Affairs, in consultation with University Police and the Campus Executive, shall initiate whatever action they deem appropriate under the circumstances in the best interest of the missing student.

Students shall be given an opportunity to designate emergency contact information on the university website and on their emergency information card that is completed while they reside in the residence halls. This information can be registered confidentially, is accessible only to authorized campus officials, and may not be disclosed except to the Campus Executive or designee, the Office of the Dean of Students, or local law enforcement in furtherance of a missing person investigation.

## **12. Disclosures to Alleged Victims of Crimes of Violence**

Students, faculty, staff, and guests associated with the UW-Stevens Point at Marshfield campus are subject to policies and procedures of the University of Wisconsin-Stevens Point. Only campus-specific policy and procedure differences are noted here.

See pg. 51 of this report for information about disclosures to alleged victims of crimes violence.

## **13. Sex Offender Registration**

University Police and Security Services maintains registered sex offender information on their webpages: <http://www.uwsp.edu/protsv/Pages/WI-SexOffenders.aspx>. The state of Wisconsin maintains a sex offender listing here: <https://appsdoc.wi.gov/public>

## **14. Policies and Procedures Related to Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

Students, faculty, staff, and guests associated with the UW-Stevens Point at Marshfield campus are subject to policies and procedures of the University of Wisconsin-Stevens Point. Only campus-specific policy and procedure differences are noted here. See pg. 51 of this report for Policies and Procedures Related to Sexual Assault, Domestic Violence, Dating Violence, or Stalking. The referenced section includes definitions, law enforcement policies, University education programs focused on the topic, what to do if an incident of interpersonal violence occurs, and options for notifying law enforcement.

Additionally, information about resources, interim measures as allowed for under Title IX, and the campus disciplinary process, including possible sanctions, is shared. Lastly, the rights of victims and risk reduction suggestions are shared.

# University of Wisconsin-Stevens Point at Wausau Campus

518 South 7<sup>th</sup> Ave., Wausau, WI 54401 (Marathon County)

For an online, zoomable map:

<https://drive.google.com/open?id=14adXudVDwL7UI5hTJWQHkigx9yQ&usp=sharing>



- On-campus geography for UW-Stevens Point is outlined in **green**.
- Per the Clery Handbook pg. 2-15, Marathon County Park immediately adjacent to the UW-Stevens Point at Wausau campus is included as on-campus property.
- Public properties within or adjacent to the campus are outlined in **blue**.

## Crime Statistics

### UW-Stevens Point at Wausau

### 2020, 2021 and 2022 Calendar Years

**NOTE: Unfounded crimes for UW-Stevens Point at Wausau: 2020 - zero, 2021 - zero, 2022-zero**

Crime	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Hall* (Subset of On-campus)	Non-Campus Property	Public Property	
Murder / non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	0	0	0	2	2
	2022	0	0	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0
	2021	0	0	0	1	1
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

\*NOTE: Marathon Hall has been closed since May of 2020

### Hate Crimes - 2020, 2021 and 2022 Calendar Years

2020: No reported hate crimes on the Wausau campus.

2021: No reported hate crimes on the Wausau campus.

2022: No reported hate crimes on the Wausau campus.

### Violence Against Women Act Statistics UW-Stevens Point at Wausau 2020, 2021 and 2022 Calendar Years

		Location of Incidents				
Type of Incident	Year of	On-Campus	Residence Hall* (Subset of On-campus)	Non-Campus Property	Public Adjacent Property	Totals for the offense
Domestic Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

\*NOTE: Marathon Hall has been closed since May of 2020

This section intentionally left blank.

**Arrests and Referrals for Disciplinary Action:  
Liquor Law, Drug Law, and Weapons Possession Violations  
UW-Stevens Point at Wausau  
2020, 2021 and 2022 Calendar Years**

Law Violation	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Hall** (Subset of On-campus)	Non-Campus Property	Public Property	
Liquor law violations - Arrests	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0
Liquor law violations - Disciplinary referrals	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0
Drug law violations - Arrests	2020	1	1	0	0	1
	2021	4	0	0	4	4
	2022	7	0	0	5	12
Drug law violations - Disciplinary referrals	2020	1	1	0	0	1
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons Possessions - Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	1	0	0	1	2
Weapons Possession - Disciplinary referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

\*See pg. 10 of this report, under *Referrals for Disciplinary Action per the Clery Act*, for a description of how alcohol arrests are categorized in the State of Wisconsin.

\*\*NOTE: Marathon Hall has been closed since May of 2020

# University of Wisconsin-Stevens Point at Wausau

## Clery Act Policy Statements and Information

NOTE: Students, faculty, staff, and guests associated with the UW-Stevens Point at Wausau campus are subject to all policies and procedures of the University of Wisconsin-Stevens Point. **Only campus-specific policy and procedure differences are noted here.**

### 1. Law Enforcement Policies

UW-Stevens Point at Wausau does not have a campus law enforcement department and does not contract for security.

#### 1a. Relationships with Local Law Enforcement Agencies

UW-Stevens Point at Wausau maintains a close working relationship with the local law enforcement agencies and the Wausau Police Department is the first point of contact regarding potential crimes on campus. Both formal and informal meetings are held to discuss campus security concerns.

#### 1b. Agreements with Local Law Enforcement Agencies

UW-Stevens Point at Wausau does not have any formal agreements or MOU with local law enforcement agencies

### 2. Reporting Procedures

#### 2a. Accurate and Prompt Reporting of all Crimes

UW-Stevens Point at Wausau encourages all students, faculty, staff, and guests to accurately and promptly report crimes if they are a victim or a witness.

#### 2b. Reporting of Crimes

Crimes or other emergencies that occur on or off campus should be reported to the Wausau Police Department by calling 911, by calling the non-emergency number 715-261-7800, or by going to the department at 515 Grand Avenue, Wausau, WI.

The crimes of rape, fondling, statutory rape, or incest, as well as VAWA offenses of domestic violence, dating violent, or stalking may be reported directly to the Title IX Coordinator, 2100 Main Street (133 Old Main), Stevens Point, WI 54481, 715-346-2606.

Students, faculty, and staff are also encouraged to report crimes/violations of university policies to the Dean of Students to seek assistance for themselves or to begin an investigation: 2100 Main Street (212 Old Main) Stevens Point, WI 54481, 715-346-2611. Reports can also be made online at the Dean of Students website:

<http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

Students, faculty, and staff can also share information with the Campus Executive of UW-Stevens Point at Wausau, located in the Solution Center on campus.

#### 2c. Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the university conduct process or criminal justice system, you may still want to consider making a confidential report. The Wausau Police Department can

file a report on the details of the incident without revealing your identity. You may also submit an anonymous report online through the website of the Office of the Dean of Students at:

<http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a potential pattern of crime regarding 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.

## **2d. Professional and Pastoral Counselors**

Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

- Professional Counselor: An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.
  - UW-Stevens Point at Wausau employs one, part-time professional counselor who works under the supervision of the UW-Stevens Point Director of Counseling (Stevens Point campus).
- UW-Stevens Point at Wausau does not employ any pastoral counselors.

## **3. Timely Warning Procedures**

### **3a. Timely Warning Reports Regarding the Occurrence of Clery Act Crimes**

UW-Stevens Point at Wausau will keep the community informed about safety and security matters on campus and maintain compliance with applicable features of the Clery Act (20 USC 1092(f)).

Decisions to issue a timely warning are made on a case-by-case basis in light of the available facts surrounding an incident or alleged crime. Some of the considerations prior to issuing a timely warning include:

- Nature of the crime (serious/non-serious, violent/non-violent)
- The continuing danger to the community or continuing crime pattern (yes/ no)
- The nature of the threat (general/specific target)
- The possible risk of compromising law enforcement efforts

### **3b. Issuing a Timely Warning**

When UW-Stevens Point at Wausau becomes aware of a situation that meets the criteria for a timely warning, the Campus Executive or their designee will issue a timely warning through all-campus email. For time-critical, urgent threats, the campus may use the *Pointer Alert* system.

If time permits, the Campus Executive or their designee will confer with local law enforcement, University Police and Security Services, other University administrators prior to issuing a timely warning or emergency notification. Timely warning notices may include information about the type of crime, a description of the assailant(s) if known, how those with information can connect to law enforcement, and safety precautions.



### 3c. Emergency / Immediate Notifications

UW-Stevens Point has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

In the event of an emergency, UW-Stevens Point will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University 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.

If the Campus Executive, in conjunction with University Police, University 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 UW-Stevens Point community, UWSP Police and Security Services or the Campus Executive will initiate, determine the content of, and determine the appropriate segment or segments of the campus community to receive the notification. UWSP Police and Security Services or the Campus Executive will use some or all of the systems described below to communicate the threat to the UW-Stevens Point community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

UW-Stevens Point will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the Wausau Police Department and/or Wausau Fire Department and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

*Pointer Alerts* is the name for UW–Steven Point’s emergency notification system. The system is designed to provide information about an active emergency situation that requires the community to take immediate action in order to stay safe. Students and employees are automatically entered into the *Pointer Alert* via their university email accounts and their cell phone information provided in accesSPoint and the at MyUWSystem, presuming phone numbers have been updated within each of these separate systems by the student or employee.

Depending on the exact nature of the situation, the system may utilize one or many of the components described below:

- Text messaging: UW-Stevens Point will text subscribers to reach mobile users who may be away from their computers or offices.
- UW-Stevens Point email: UW-Stevens Point email users may receive a mass e-mail warning message.
- Personal email: Students, faculty, and staff can add a personal email address.
- Campus network computers: The campus community is alerted to a concern via a full-screen pop-up.
- Campus webpages – banner at the top

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information.

Follow-up information will be distributed using some or all of the identified communication systems.

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 UW-Stevens Point social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus UW-Stevens Point will follow its emergency notification procedures and provide follow-up information to the community as it is needed. The institution is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. 34 CFR 668.46(e)(3).

Students, faculty and staff are encouraged to update their contact information or learn more about the Pointer Alerts at <https://www3.uwsp.edu/emergency/Pages/pointer-alerts.aspx>.

#### **4. Emergency Response and Evacuation Procedures**

The Office of Emergency Management on the main campus of UW-Stevens Point, serves all campuses of the University, to include UW-Stevens Point at Wausau. Information about emergency response and evacuation procedures can be found on pg. 21 of this report at <https://www.uwsp.edu/emergency/Pages/default.aspx>.

#### **5. Addressing Criminal Activity Off Campus**

The Wausau Police Department (WPD) has primary jurisdiction in all areas off campus. WPD works with University Police, the Campus Executive and the Dean of Students office on any serious incidents occurring off campus when a UW– Stevens Point student is involved in accordance with UWS Chapter 17.08.

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Information about services offered, education programs, incident reporting and safety tips. [www.uwsp.edu/dos](http://www.uwsp.edu/dos).

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Students, faculty, staff, and guests associated with the UW-Stevens Point at Wausau campus are subject to policies and procedures of the University of Wisconsin-Stevens Point. Only campus-specific policy and procedure differences are noted here.

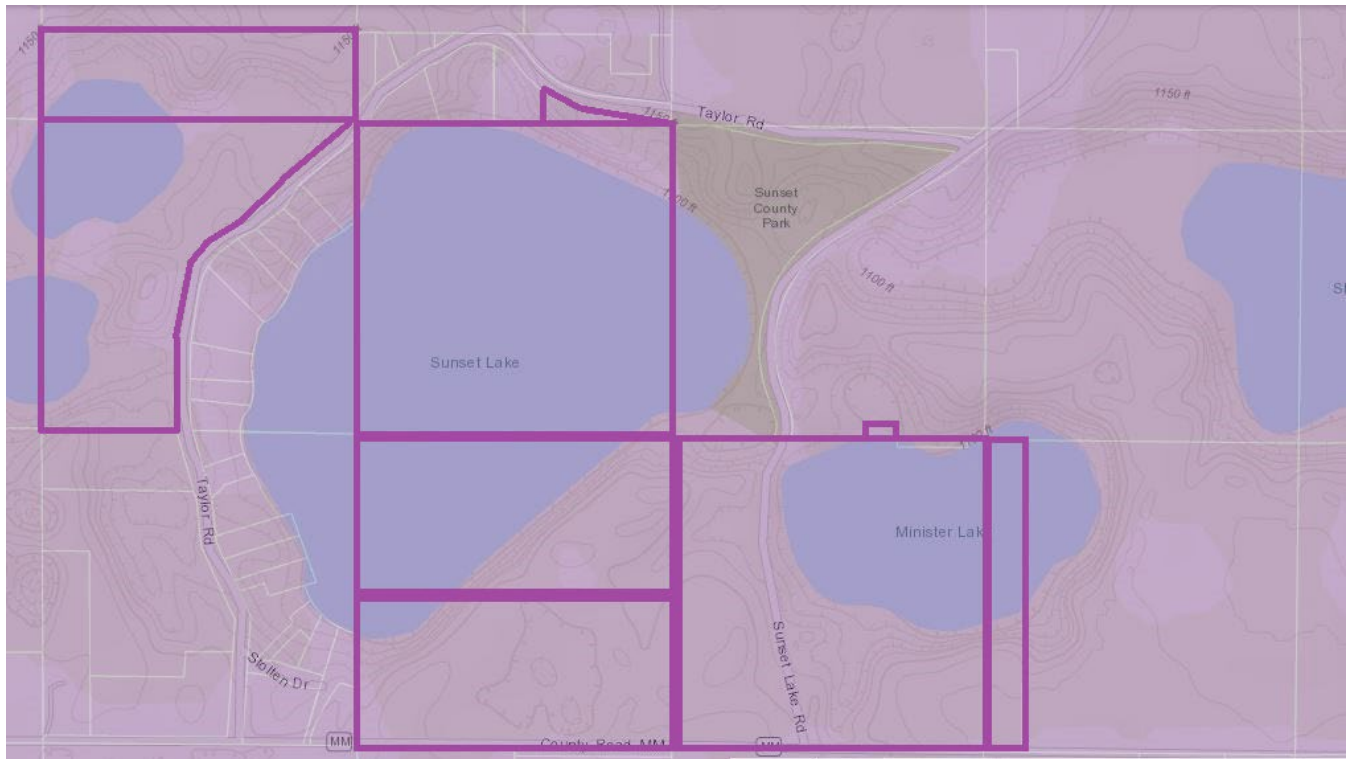
See pg. 51 of this report for Policies and Procedures Related to Sexual Assault, Domestic Violence, Dating Violence, or Stalking. The referenced section includes definitions, law enforcement policies, University education programs focused on the topic, what to do if an incident of interpersonal violence occurs, and options for notifying law enforcement.

Additionally, information about resources, interim measures as allowed for under Title IX, and the campus disciplinary process, including possible sanctions, is shared. Lastly, the rights of victims and risk reduction suggestions are shared.

# University of Wisconsin-Stevens Point

## Central Wisconsin Environmental Station (CWES) Campus

10186 County Road MM, Amherst Junction, WI 54407 (Portage County)



Parcels owned by the UWSP Foundation and leased to UW-Stevens Point:

- 026241022-03.01
- 026241022-04.02

Parcels owned by the Trustees, Samoset Council-Boy Scouts of America and leased to UW-Stevens Point:

- 026241015-11.02
- 026241022-06.02
- 026241022-08.02
- 026241022-08.01
- 026241022-05
- 026241015-12.05

Note: Per the *Handbook for Campus Safety and Security Reporting, 2016 Edition (2-15)*, because portions of Sunset and Minister Lakes are accessible from property owned or controlled by UW-Stevens Point, Clery crimes that occur on the public waterways are considered reportable crimes.

**Crime Statistics**  
**Central Wisconsin Environmental Station Campus (CWES)**  
**2020, 2021 and 2022 Calendar Years**

NOTE: Unfounded crimes for CWES: 2020 - zero, 2021 - zero, 2022 - zero.

Crime	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Murder / non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

### Hate Crimes 2020, 2021 and 2022 Calendar Years

2020: No reported hate crimes on the CWES campus.

2021: No reported hate crimes on the CWES campus.

2022: No reported hate crimes on the CWES campus.

### Violence Against Women Act Statistics Central Wisconsin Environmental Station Campus (CWES) 2020, 2021 and 2022 Calendar Years

Type of Incident	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Domestic Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

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**Arrests and Referrals for Disciplinary Action:  
Liquor Law, Drug Law, and Weapons Possession Violations  
Central Wisconsin Environmental Status Campus (CWES)  
2020, 2021 and 2022 Calendar Years**

Law Violation	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Liquor law violations - Arrests	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0*
Liquor law violations - Disciplinary referrals	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0*
Drug law violations - Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug law violations - Disciplinary referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons Possessions - Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons Possession - Disciplinary referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

\* See pg. 10 of this report, under *Referrals for Disciplinary Action per the Clery Act*, for a description of how alcohol arrests are categorized in the State of Wisconsin.

# University of Wisconsin-Stevens Point

## Central Wisconsin Environmental Station (CWES)

### Clery Act Policy Statements and Information

NOTE: Students, faculty, staff, and guests associated with the Central Wisconsin Environmental Station (CWES) campus are subject to all policies and procedures of the University of Wisconsin-Stevens Point. **Only campus-specific policy and procedure differences are noted here.**

#### 1. Law Enforcement Policies

CWES does not have a campus law enforcement department and does not contract for security. The CWES staff contact University Police and Security Services on the Stevens Point campus for consultation on law enforcement matters.

##### 1a. Relationships with Local Law Enforcement Agencies

Staff at CWES maintain a close working relationship with the local law enforcement agencies. Both formal and informal meetings are held between University Police and Security Services on the Stevens Point campus and local law enforcement to discuss security concerns at CWES.

##### 1b. Agreements with Local Law Enforcement Agencies

CWES does not have any formal agreements or MOU with local law enforcement agencies.

#### 2. Reporting Procedures

##### 2a. Accurate and Prompt Reporting of all Crimes

The CWES staff encourages all students, faculty, staff, and guests to accurately and promptly report crimes if they are a victim or a witness.

##### 2b. Reporting of Crimes

Crimes or other emergencies that occur on or off the CWES campus should be reported to the Portage County Sheriff's Office by calling 911, by calling the non-emergency number 715-346-1400, or by going to the department at 1500 Strongs Ave. Stevens Point, WI.

The crimes of rape, fondling, statutory rape, or incest, as well as VAWA offenses of domestic violence, dating violent, or stalking may be reported directly to the Title IX Coordinator, 2100 Main Street (133 Old Main) Stevens Point, Wisconsin 54481, 715-346-2606.

Students, faculty, and staff are also encouraged to report crimes/violations of university policies to the Dean of Students to seek assistance for themselves or to begin an investigation: 2100 Main Street (212 Old Main) Stevens Point, Wisconsin 54481, 715-346-2611. Reports can also be made online at the Dean of Students website: <http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

Students, faculty, and staff can also share information with the Director of CWES.

## **2c. Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the university conduct process or criminal justice system, you may still want to consider making a confidential report. The Portage County Sheriff's Office can file a report on the details of the incident without revealing your identity. You may also submit an anonymous report online through the website of the Office of the Dean of Students at:

<http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a potential pattern of crime regarding 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.

## **2d. Professional and Pastoral Counselors**

Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

- Professional Counselor: An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.
  - Students at CWES can access counseling services on the Stevens Point campus of UW-Stevens Point.
- CWES does not employ any pastoral counselors.

## **3. Timely Warning Procedures**

### **3a. Timely Warning Reports Regarding the Occurrence of Clery Act Crimes**

The CWES staff will keep the community informed about safety and security matters on campus and maintain compliance with applicable features of the Clery Act (20 USC 1092(f)). As CWES does not have a campus law enforcement agency, the staff consults with University Police and Securing Services on the Stevens Point campus in regard to timely warnings and emergency notifications.

Decisions to issue a timely warning are made on a case-by-case basis in light of the available facts surrounding an incident or alleged crime. Some of the considerations prior to issuing a timely warning include:

- Nature of the crime (serious/non-serious, violent/non-violent)
- The continuing danger to the community or continuing crime pattern (yes/ no)
- The nature of the threat (general/specific target)
- The possible risk of compromising law enforcement efforts

### **3b. Issuing a Timely Warning**

When the CWES staff becomes aware of a situation that meets the criteria for a timely warning, the facility Director or their designee contact University Police who will issue a timely warning. Staff may be notified of other safety concerns via walkie-talkie and by posting appropriate information around the property.

Timely warning notices may include information about the type of crime, a description of the assailant(s) if known, how those with information can connect to law enforcement, and safety precautions.

### **3c. Emergency / Immediate Notifications**

UW-Stevens Point has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

In the event of an emergency, UW-Stevens Point will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University 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.

If the UW-Stevens Point University Police staff, in conjunction with other University 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 UW-Stevens Point community, UWSP Police and Security Services will initiate, determine the content of, and determine the appropriate segment or segments of the campus community to receive the notification. UWSP Police and Security Services will use some or all of the systems described below to communicate the threat to the UW-Stevens Point community or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population.

UW-Stevens Point will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the Portage County Sheriff and/or Amherst Fire Department and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

*Pointer Alerts* is the name for UW–Steven Point’s emergency notification system. The system is designed to provide information about an active emergency situation that requires the community to take immediate action in order to stay safe. Students and employees are automatically entered into the *Pointer Alert* via their university email accounts and their cell phone information provided in accesSPoint and at MyUWSystem, presuming phone numbers have been updated within each of these separate systems by the student or employee.

Depending on the exact nature of the situation, the system may utilize one or many of the components described below:

- Text messaging: UW-Stevens Point will text subscribers to reach mobile users who may be away from their computers or offices.
- UW-Stevens Point email: UW-Stevens Point email users may receive a mass e-mail warning message.
- Personal email: Students, faculty, and staff can add a personal email address.

- Campus network computers: The campus community is alerted to a concern via a full-screen pop-up.
- Campus webpages: Banner on the top.

Additionally, the staff at CWES ring an exterior bell and contact all staff via walkie-talkie about the emergency situation.

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information.

Follow-up information will be distributed using some or all of the identified communication systems.

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 UW-Stevens Point social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus UW-Stevens Point will follow its emergency notification procedures and provide follow-up information to the community as it is needed. The institution is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. 34 CFR 668.46(e)(3).

Students, faculty and staff are encouraged to update their contact information or learn more about the Pointer Alerts at <https://www3.uwsp.edu/emergency/Pages/pointer-alerts.aspx>

#### **4. Emergency Response and Evacuation Procedures**

The Office of Emergency Management on the main campus of UW-Stevens Point, serves all campuses of the University, to include CWES. Information about emergency response and evacuation procedures can be found on pg. 21 of this report at <https://www.uwsp.edu/emergency/Pages/default.aspx>.

#### **5. Addressing Criminal Activity Off Campus**

The Portage County Sheriff's Office has primary jurisdiction in all areas off campus. The Sheriff works with UW-Stevens Point University Police, the CWES staff, and the Dean of Students office on any serious incidents occurring off campus when a UW– Stevens Point student is involved in accordance with UWS Chapter 17.08.

#### **6. Security and Access to Campus Facilities**

Chapter UWS 21, Wisconsin Administrative Code, and institutional policies on file in the Office of the Vice Chancellor for Business Affairs, govern general access to and use of the facilities at CWES.

Security is provided in the maintenance of the university's facilities through a number of mechanisms, including limitations on hours of operation, enforced policies on key allocation, restricting access to those bearing proper identification as university staff or students, and the provision of adequate lighting. Specific security mechanisms may vary with the type of university facility and are managed by the appropriate administrator of each facility. Emergencies may necessitate changes or alterations to any posted schedules.

## **7. Security Considerations Used in the Maintenance of Campus Facilities**

On an annual basis, CWES staff conduct a campus security survey to assess landscaping, locks, alarms, lighting, and communications. Issues identified during the security survey are addressed by the department responsible for the facility or area of campus.

### **8a. Security Awareness Programs for Students and Employees**

#### **Emergency Management**

The Office of Emergency Management leads a required session for new employees of the University. The training focuses on campus emergency procedures and Pointer Alerts.

#### **UW-Stevens Point University Police**

Crime prevention information, educational videos (such as: *Shots Fired on Campus* and *Flashpoint on Campus*) and timely warnings are available to students, faculty, and staff of CWES and are provided on their website at [www.uwsp.edu/protsv](http://www.uwsp.edu/protsv).

#### **Portage County Sheriff's Office**

Information about the Portage County Sheriff's Office, including resources, services and community alerts can be found at: <https://www.co.portage.wi.us/departmentsheriff-s-office>.

#### **Office of the Dean of Students**

Information about services offered, education programs, incident reporting and safety tips. [www.uwsp.edu/dos](http://www.uwsp.edu/dos).

### **8b. Crime Prevention Programs for Students and Employees**

Students, faculty, staff, and guests associated with CWES are subject to all policies and procedures of the University of Wisconsin-Stevens Point. Information about the University's Threat Assessment Team, general crime prevention tips, protective behaviors, and safety at home can be found on pg. 25 of this report.

NOTE: CWES does not have social fraternities or sororities, a student organization re-recognition process, or campus emergency telephones.

## **9. Alcohol and Drug Policies and Programs**

### **9a. Alcohol and Drug Policies**

Students, faculty, staff, and guests associated with the CWES campus are subject to all policies and procedures of the University of Wisconsin-Stevens Point. Information about alcohol and drug policies to include UWS Chapter 17, UWS Chapter 18, and relevant Wisconsin State Statutes can be found on pg. 27 of this report.

### **9b. Substance Abuse Education Programs**

Substance abuse education programs for all students of UW-Stevens Point, regardless of campus, are coordinated by the Center for Prevention. Information about these programs at <https://www.uwsp.edu/dos/aoda-ipv/Pages/default.aspx>

### **Campus Resources for Employees**

For faculty and staff, Human Resources supports an Employee Assistance Program (EAP). Persons with treatment needs are referred to the EAP program.

#### **10. Preparation and Disclosure of Crime Statistics**

University Police and Security Services prepared this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, law enforcement agencies with jurisdiction for other UW-Stevens Point properties, University Police, Housing and Residence Life, the Campus Activities and Student Engagement office, Emergency Management, the Division of Student Affairs and other campus offices. Each entity provides updated information on the educational efforts and programs to comply with the Clery Act.

Campus crime, arrest and referral statistics include those reported to the Office of the Dean of Students, UWSP University Police, designated campus officials (included but not limited to directors, deans, department heads, designated Housing and Residence Life staff, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. UWSP Counseling Center staff inform their clients of the procedures to report crime to the university on a voluntary or confidential basis. The online reporting process available through the Office of the Dean of Students website provides a mechanism for submitting anonymous reports.

Each year, an e-mail notification is made to all enrolled students as well as current faculty and staff that provided the web site to access this report. Copies of the report may also be obtained by contacting University Police and Security Services at [Police.and.Security.Services.Office@uwsp.edu](mailto:Police.and.Security.Services.Office@uwsp.edu) or by calling 715-346-3456. The web address for report is included in prospective student recruiting documents, on employment position postings, and online as part of student consumer information disclosures at <http://www.uwsp.edu/chancellor/heoa>.

#### **11. Missing Student Notification**

A student shall be deemed missing when they are absent from the University for more than 24 hours without any known reason. All reports of missing students shall be directed to the Director of the facility, University Police and Security Services, and the local law enforcement agency.

All residential students shall have the opportunity to identify an individual to be contacted by the University in the event the student is determined missing. Contact information for the identified person is kept with the Director or their designee. If a missing student is under 18 years of age, the University is required to notify the parent or guardian of the missing student within 24 hours after determination was made that the student is missing.

#### **Missing Student Notification Procedures**

Any report of a missing student, from whatever source, should immediately be directed to University Police.

When a student is reported missing University Police shall:

- Initiate an investigation to determine the validity of the missing person report
- Contact the Vice Chancellor for Student Affairs
- Make a determination as to the status of the missing student
- Contact University Communications and Marketing
- Notify the individual identified by the missing student as the missing person contact within 24 hours of making the determination that the student is missing

- If the missing student is under the age of 18, notify the student's custodial parent or guardian as contained in the records of the University within 24 hours after they are determined to be missing.
- Notify the Portage County Sheriff's Office within 24 hours after determining that student is missing so that NCIC entry can be made
- Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UW-Stevens Point will notify the local law enforcement agency with jurisdiction in the area the student went missing, within 24 hours after determining that student is missing so that NCIC entry can be made

The Vice Chancellor for Student Affairs and the Chief of University Police shall initiate whatever action they deem appropriate under the circumstances in the best interest of the missing student.

Students shall be given an opportunity to designate emergency contact information on the university website and on their emergency information card that is completed while they reside in the residence halls. This information can be registered confidentially, is accessible only to authorized campus officials or local law enforcement in furtherance of a missing person investigation.

## **12. Disclosures to Alleged Victims of Crimes of Violence**

Students, faculty, staff, and guests associated with CWES are subject to policies and procedures of the University of Wisconsin-Stevens Point. Only campus-specific policy and procedure differences are noted here. See pg. 51 of this report for information about disclosures to alleged victims of crimes violence.

## **13. Sex Offender Registration**

University Police and Security Services maintains registered sex offender information on their webpages: <http://www.uwsp.edu/protsv/Pages/WI-SexOffenders.aspx>

The state of Wisconsin maintains a sex offender listing here: <https://appsdoc.wi.gov/public>.

## **14. Policies and Procedures Related to Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

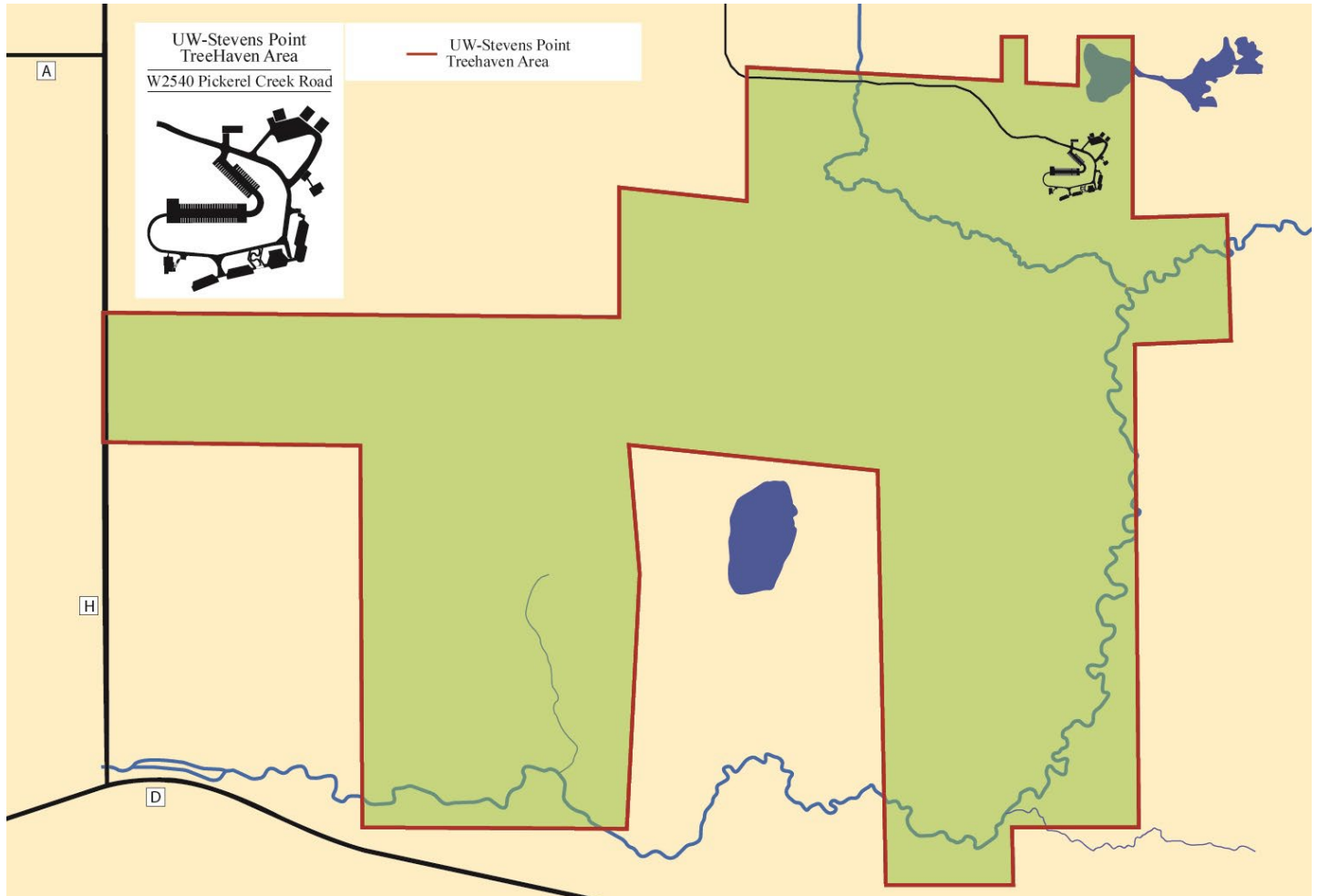
Students, faculty, staff, and guests associated with CWES are subject to policies and procedures of the University of Wisconsin-Stevens Point. Only campus-specific policy and procedure differences are noted here.

See pg. 51 of this report for Policies and Procedures Related to Sexual Assault, Domestic Violence, Dating Violence, or Stalking. The referenced section includes definitions, law enforcement policies, University education programs focused on the topic, what to do if an incident of interpersonal violence occurs, and options for notifying law enforcement. Additionally, information about resources, interim measures as allowed for under Title IX, and the campus disciplinary process, including possible sanctions, is shared. Lastly, the rights of victims and risk reduction suggestions are shared.



# University of Wisconsin-Stevens Point Treehaven Field Station Campus

W2540 Pickerel Creek Road, Tomahawk, WI 54487 (Lincoln County)



## Crime Statistics

### Treehaven Field Station Campus - 2020, 2021 and 2022 Calendar Years

**NOTE: Unfounded crimes for Treehaven Field Station: 2020 - zero, 2021 - zero, 2022 - zero.**

Crime	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Murder / non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Motor vehicle theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

## Hate Crimes - 2020, 2021 and 2022 Calendar Years

2020: No reported hate crimes on the Treehaven campus.

2021: No reported hate crimes on the Treehaven campus.

2022: No reported hate crimes on the Treehaven campus.

## Violence Against Women Act Statistics Treehaven Field Station Campus 2020, 2021 and 2022 Calendar Years

Type of Incident	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Domestic Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	1	0	0	0	1

This section intentionally left blank.

**Arrests and Referrals for Disciplinary Action:  
Liquor Law, Drug Law, and Weapons Possession Violations  
Treehaven Field Station Campus  
2020, 2021 and 2022 Calendar Years**

Law Violation	Year of	Location of Incidents				Totals for the offense
		On-Campus	Residence Halls (Subset of On-campus)	Non-Campus Property	Public Property	
Liquor law violations - Arrests	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0*
Liquor law violations - Disciplinary referrals	2020	0	0	0	0	0*
	2021	0	0	0	0	0*
	2022	0	0	0	0	0*
Drug law violations - Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug law violations - Disciplinary referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons Possessions - Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons Possession - Disciplinary referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

\* See pg. 10 of this report, under *Referrals for Disciplinary Action per the Clery Act*, for a description of how alcohol arrests are categorized in the State of Wisconsin.

# University of Wisconsin-Stevens Point

## Treehaven Field Station Campus

### Clery Act Policy Statements and Information

NOTE: Students, faculty, staff, and guests associated with the Treehaven Field Station campus are subject to all policies and procedures of the University of Wisconsin-Stevens Point. **Only campus-specific policy and procedure differences are noted here.**

#### 1. Law Enforcement Policies

Treehaven does not have a campus law enforcement department and does not contract for security.

##### 1a. Relationships with Local Law Enforcement Agencies

Staff at Treehaven maintain a close working relationship with the local law enforcement agencies. Both formal and informal meetings are held between University Police and Security Services on the Stevens Point campus and local law enforcement to discuss security concerns at Treehaven.

##### 1b. Agreements with Local Law Enforcement Agencies

Treehaven does not have any formal agreements or MOU with local law enforcement agencies.

#### 2. Reporting Procedures

##### 2a. Accurate and Prompt Reporting of all Crimes

The Treehaven staff encourages all students, faculty, staff, and guests to accurately and promptly report crimes if they are a victim or a witness.

##### 2b. Reporting of Crimes

Crimes or other emergencies that occur on or off the Treehaven campus, should be reported to the Lincoln County Sheriff's Office by calling 911, by calling the non-emergency number 715-536-6272 or by going to the department at 1104 E. 1st Street, Merrill, WI 54452.

The crimes of rape, fondling, statutory rape, or incest, as well as VAWA offenses of domestic violence, dating violent, or stalking may be reported directly to the Title IX Coordinator, 2100 Main Street (133 Old Main) Stevens Point, WI 54481, 715-346-2606.

Students, faculty, and staff are also encouraged to report crimes/violations of university policies to the Dean of Students to seek assistance for themselves or to begin an investigation: 2100 Main Street (212 Old Main) Stevens Point, WI 54481, 715-346-2611. Reports can also be made online at the Dean of Students website: <http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

##### 2c. Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the university conduct process or criminal justice system, you may still want to consider making a confidential report. The Lincoln County Sheriff's Office can file a report on the details of the incident without revealing your identity. You may also submit an

anonymous report online through the website of the Office of the Dean of Students at:

<http://www.uwsp.edu/dos/Pages/Anonymous-Report.aspx>.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a potential pattern of crime regarding 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.

## **2d. Professional and Pastoral Counselors**

Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

- Professional Counselor: An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.
  - Treehaven does not employ any professional counselors.
- Treehaven does not employ any pastoral counselors.

## **3. Timely Warning Procedures**

### **3a. Timely Warning Reports Regarding the Occurrence of Clery Act Crimes**

The Treehaven staff will keep the community informed about safety and security matters on campus and maintain compliance with applicable features of the Clery Act (20 USC 1092(f)). As Treehaven does not have a campus law enforcement agency, the staff consults with University Police and Security Services on the Stevens Point campus in regard to timely warnings and emergency notifications, as time allows.

Decisions to issue a timely warning are made on a case-by-case basis in light of the available facts surrounding an incident or alleged crime. Some of the considerations prior to issuing a timely warning include:

- Nature of the crime (serious/non-serious, violent/non-violent)
- The continuing danger to the community or continuing crime pattern (yes/ no)
- The nature of the threat (general/specific target)
- The possible risk of compromising law enforcement efforts

### **3b. Issuing a Timely Warning**

When the Treehaven staff becomes aware of a situation that meets the criteria for a timely warning, the facility Director or their designee contact University Police who will issue a timely warning. Staff may be notified of other safety concerns via walkie-talkie and by posting appropriate information around the property.

Timely warning notices may include information about the type of crime, a description of the assailant(s) if known, how those with information can connect to law enforcement, and safety precautions.

### 3c. Emergency / Immediate Notifications

UW-Stevens Point has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

In the event of an emergency, UW-Stevens Point will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University 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.

If the UW-Stevens Point University Police staff, in conjunction with other University 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 UW-Stevens Point community, UWSP Police and Security Services will initiate, determine the content of, and determine the appropriate segment or segments of the campus community to receive the notification. UWSP Police and Security Services will use some or all of the systems described below to communicate the threat to the UW-Stevens Point community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

UW-Stevens Point will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the Lincoln County Sheriff and/or Tomahawk Fire Department and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

*Pointer Alerts* is the name for UW–Steven Point’s emergency notification system. The system is designed to provide information about an active emergency situation that requires the community to take immediate action in order to stay safe. Students and employees are automatically entered into the *Pointer Alert* via their university email accounts and their cell phone information provided in accesSPoint and at MyUWSystem, presuming phone numbers have been updated within each of these separate systems by the student or employee.

Depending on the exact nature of the situation, the system may utilize one or many of the components described below:

- Text messaging: UW-Stevens Point will text subscribers to reach mobile users who may be away from their computers or offices.
- UW-Stevens Point email: UW-Stevens Point email users may receive a mass e-mail warning message.
- Personal email: Students, faculty, and staff can add a personal email address.
- Campus network computers: The campus community is alerted to a concern via a full-screen pop-up.
- Campus webpages: Banner at the top.

Additionally, the staff immediately contact all staff via walkie-talkie about the emergency situation.

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information.

Follow-up information will be distributed using some or all of the identified communication systems.

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 UW-Stevens Point social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus UW-Stevens Point will follow its emergency notification procedures and provide follow-up information to the community as it is needed. The institution is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. 34 CFR 668.46(e)(3).

Students, faculty and staff are encouraged to update their contact information or learn more about the Pointer Alerts at <https://www.uwsp.edu/emergency/Pages/pointer-alerts.aspx>.

#### **4. Emergency Response and Evacuation Procedures**

The Office of Emergency Management on the main campus of UW-Stevens Point, serves all campuses of the University, to include Treehaven. **Information about emergency response and evacuation procedures can be found on pg. 21 of this report** at <https://www.uwsp.edu/emergency/Pages/default.aspx>.

#### **5. Addressing Criminal Activity Off Campus**

The Lincoln County Sheriff's Office has primary jurisdiction in all areas off campus. The Sheriff works with UW-Stevens Point University Police, the Treehaven staff, and the Dean of Students office on any serious incidents occurring off campus when a UW– Stevens Point student is involved in accordance with UWS Chapter 17.08.

#### **6. Security and Access to Campus Facilities**

Chapter UWS 21, Wisconsin Administrative Code, and institutional policies on file in the Office of the Vice Chancellor for Business Affairs, govern general access to and use of the facilities at Treehaven.

Security is provided in the maintenance of the university's facilities through a number of mechanisms, including cameras, limitations on hours of operation, enforced policies on key allocation, restricting access to those bearing proper identification as university staff or students, and the provision of adequate lighting. Specific security mechanisms may vary with the type of university facility and are managed by the appropriate administrator of each facility. Emergencies may necessitate changes or alterations to any posted schedules.

#### **7. Security Considerations Used in the Maintenance of Campus Facilities**

On an annual basis, Treehaven staff conduct a campus security survey to assess landscaping, locks, alarms, lighting, and communications. Issues identified during the security survey are addressed by the department responsible for the facility or area of campus.

#### **8a. Security Awareness Programs for Students and Employees Emergency Management**

The Office of Emergency Management leads a required session for new employees of the University. The training focused on campus emergency procedures and Pointer Alerts.



**UW-Stevens Point University Police**

Crime prevention information, educational videos (such as: *Shots Fired on Campus* and *Flashpoint on Campus*) and timely warnings are available to students, faculty, and staff of Treehaven and are provided on their website at [www.uwsp.edu/protsv](http://www.uwsp.edu/protsv).

**Lincoln County Sheriff's Department**

Information about the Lincoln County Sheriff's Office, including resources, services and community alerts. <https://co.lincoln.wi.us/sheriffs-office>.

**Office of the Dean of Students**

Information about services offered, education programs, incident reporting and safety tips. [www.uwsp.edu/dos](http://www.uwsp.edu/dos).

**8b. Crime Prevention Programs for Students and Employees**

Students, faculty, staff, and guests associated with Treehaven are subject to all policies and procedures of the University of Wisconsin-Stevens Point. Information about the University's Threat Assessment Team, general crime prevention tips, protective behaviors, and safety at home can be found on pg. 25 of this report.

NOTE: Treehaven does not have social fraternities or sororities, a student organization re-recognition process, or campus emergency telephones.

**9. Alcohol and Drug Policies and Programs****9a. Alcohol and Drug Policies**

Students, faculty, staff, and guests associated with the Treehaven campus are subject to all policies and procedures of the University of Wisconsin-Stevens Point. Information about alcohol and drug policies to include UWS Chapter 17, UWS Chapter 18, and relevant Wisconsin State Statutes can be found on pg. 27 of this report.

**9b. Substance Abuse Education Programs**

Substance abuse education programs for all students of UW-Stevens Point, regardless of campus, are coordinated by the Center for Prevention. Information about these programs can be found at <https://www.uwsp.edu/dos/aoda-ipv/Pages/default.aspx>.

**Campus Resources for Employees**

For faculty and staff, Human Resources supports an Employee Assistance Program (EAP). Persons with treatment needs are referred to the EAP program.

**10. Preparation and Disclosure of Crime Statistics**

University Police and Security Services prepared this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, law enforcement agencies with jurisdiction for other UW-Stevens Point properties, University Police, Housing and Residence Life, the Campus Activities and Student Engagement office, Emergency Management, the Division of Student Affairs and other campus offices. Each entity provides updated information on the educational efforts and programs to comply with the Clery Act.

Campus crime, arrest and referral statistics include those reported to the Office of the Dean of Students, UWSP University Police, designated campus officials (included but not limited to directors, deans, department heads, designated Housing and Residence Life staff, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. UWSP Counseling Center staff inform their clients of the procedures to report crime to the university on a voluntary or confidential basis. The online reporting process available through the Office of the Dean of Students website provides a mechanism for submitting anonymous reports.

Each year, an e-mail notification is made to all enrolled students as well as current faculty and staff that provided the web site to access this report. Copies of the report may also be obtained by contacting University Police and Security Services at [Police.and.Security.Services.Office@uwsp.edu](mailto:Police.and.Security.Services.Office@uwsp.edu) or by calling 715-346-3456. The web address for report is included in prospective student recruiting documents, on employment position postings, and online as part of student consumer information disclosures at <http://www.uwsp.edu/chancellor/heoa>.

### **11. Missing Student Notification**

A student shall be deemed missing when they are absent from the University for more than 24 hours without any known reason. All reports of missing students shall be directed to the Director of the facility, University Police and Security Services, and the local law enforcement agency.

All residential students shall have the opportunity to identify an individual to be contacted by the University in the event the student is determined missing. Contact information for the identified person is kept with the Director or their designee. If a missing student is under 18 years of age, the University is required to notify the parent or guardian of the missing student within 24 hours after they are determined to be missing.

#### **Missing Student Notification Procedures**

Any report of a missing student, from whatever source, should immediately be directed to University Police.

When a student is reported missing University Police shall:

- Initiate an investigation to determine the validity of the missing person report.
- Contact the Vice Chancellor for Student Affairs.
- Make a determination as to the status of the missing student.
- Contact University Communications and Marketing.
- Notify the individual identified by the missing student as the missing person contact within 24 hours of making the determination that the student is missing.
- If the missing student is under the age of 18, notify the student's custodial parent or guardian as contained in the records of the University within 24 hours after they are determined to be missing.
- Notify the local law enforcement agency of jurisdiction within 24 hours after determining that student is missing so that NCIC entry can be made.
- Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UW-Stevens Point will notify the local law enforcement agency with jurisdiction in the area the student went missing, within 24 hours after determining that student is missing so that NCIC entry can be made.

The Vice Chancellor for Student Affairs and Chief of University Police shall initiate whatever action they deem appropriate under the circumstances in the best interest of the missing student.

Students shall be given an opportunity to designate emergency contact information on the university website and on their emergency information card that is completed while they reside in the residence halls. This information can be registered confidentially, is accessible only to authorized campus officials or local law enforcement in furtherance of a missing person investigation.

### **12. Disclosures to Alleged Victims of Crimes of Violence**

Students, faculty, staff, and guests associated with Treehaven are subject to policies and procedures of the University of Wisconsin-Stevens Point. Only campus-specific policy and procedure differences are noted here.

See pg. 51 of this report for information about disclosures to alleged victims of crimes violence.

### **13. Sex Offender Registration**

University Police and Security Services maintains registered sex offender information on their webpages: <http://www.uwsp.edu/protsv/Pages/WI-SexOffenders.aspx>.

The state of Wisconsin maintains a sex offender listing here: <https://appsdoc.wi.gov/public>.

### **14. Policies and Procedures Related to Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

Students, faculty, staff, and guests associated with Treehaven are subject to policies and procedures of the University of Wisconsin-Stevens Point. Only campus-specific policy and procedure differences are noted here.

See pg. 51 of this report for Policies and Procedures Related to Sexual Assault, Domestic Violence, Dating Violence, or Stalking. The referenced section includes definitions, law enforcement policies, University education programs focused on the topic, what to do if an incident of interpersonal violence occurs, and options for notifying law enforcement.

Additionally, information about resources, interim measures as allowed for under Title IX, and the campus disciplinary process, including possible sanctions, is shared. Lastly, the rights of victims and risk reduction suggestions are shared.

# University of Wisconsin-Stevens Point

## Annual Fire Safety Report

Published October 2022

The following report is a summary of fire safety systems, fire incident statistics, and related policies as required by the federal Higher Education Opportunity Act (HEOA) and reaffirmed in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The data presented is for calendar years 2019, 2020, and 2021 and represents data for on-campus student residences.

More than 2,900 UW-Stevens Point students can call the main campus residence halls on the main campus home during the academic year. The Villas at Marshfield, owned and operated by the private property management company known as Bluffstone, LLC, serves as a housing option for students in Marshfield. Lastly, a portion of our students also temporarily take up residence at the UW-Stevens Point the Central Wisconsin Environmental Station (CWES) and/or Treehaven Field Station as part of their academic study.

### Description of housing facilities

#### **University of Wisconsin-Stevens Point, Stevens Point** Residence Halls

Students who reside on the main campus live in one of 13 residence halls. The halls are made up of double and single rooms. All buildings also offer community kitchens, with one building having kitchens within each suite.

**University of Wisconsin-Stevens Point at Marshfield** students who reside on the Marshfield campus, may live in The Villas at Marshfield, owned and operated by a private property management. The building is made up of double rooms and offers community spaces, to include a community kitchen.

**University of Wisconsin-Stevens Point at Wausau Marathon Hall** has been closed since May 2020. Currently, no on campus housing is available for students attending the Wausau campus.

**Central Wisconsin Environmental Station (CWES)** is a 200-acre teaching and learning center located 17 miles east of Stevens Point on Sunset Lake. Up to 112 students can live in the seven buildings: Anderson Lodge (24 beds), Walker Lodge (48 beds) and the five Scandinavian Cabins (40 beds total).

**Treehaven Field Station** is a natural resources education, conference and research center located east of Tomahawk, WI., approximately 80 miles north of Stevens Point. The facility offers accommodations for up to 124 students in three buildings: Okray Living Centers (107 beds), Fern Young Cottage (10 beds) and White Pine Lodge (7 beds).

### Fire Log

The fire log for the UW-Stevens Point campus is maintained by University Police and Security Services and is in the George Stien Building during normal business hours. Fire logs for UW-Stevens Point at Marshfield and UW-Stevens Point at Wausau are maintained in the Solution Center for each respective campus and are available during normal business hours. Fire logs for the Treehaven Field Stations and the Central Wisconsin Environmental Station (CWES) are maintained by the Directors of each facility. Treehaven and CWES logs are available during normal business hours at the office of the appropriate Director.

## Description of Stevens Point Student Housing Fire Safety Systems

\*NOTE: Marathon Hall has been closed since May of 2020

Residence Hall	Fire Detection System Type	Fire Suppression System	Fire Extinguishers Present	Monitoring System	Fire Drills Each Year
Baldwin Hall 425 Isadore St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
Burroughs Hall 201 Isadore St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
Hansen Hall 409 Isadore St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
Hyer Hall 1319 Fremont St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	Sprinkler system in recycling chutes	Yes	Yes	2
Knutzen Hall 209 Isadore St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
May Roach Hall 301 Reserve St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	Sprinkler system in recycling chutes	Yes	Yes	2
Neale Hall 433 Isadore St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
Pray/Sims Hall 501 Reserve St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	Sprinkler system in recycling chutes	Yes	Yes	2
Smith Hall 409 Reserve St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	Sprinkler system in recycling chutes	Yes	Yes	2
Steiner Hall 401 Isadore St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
Suites @ 201 201 Reserve St. Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
Thomson Hall 1817 Maria Drive Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
Watson Hall 1801 Maria Drive Stevens Point, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
Marathon Hall* 615 Garfield Ave. Wausau, WI	Multiplexed, hard wired, smoke and heat sensors	No sprinkler system	Yes	Yes	2
The Villas 2313 W. 5 <sup>th</sup> Street Marshfield, WI	Multiplexed, hard wired, smoke and heat sensors	100% full coverage sprinkler system	Yes	Yes	2
CWES 10186 County Rd MM, Amherst Junction, WI	Stand-alone, battery powered smoke detectors	No sprinkler system	Yes	No	0
Treehaven W2540 Pickerel Creek Road, Tomahawk, WI	Stand-alone, battery powered smoke detectors	No sprinkler system	Yes	No	0

## Fire Safety Policy Statements

UW-Stevens Point Residence Halls, Treehaven, and CWES

- Policies for portable electric appliances, smoking and open flames are available on-line in the *Residential Living Handbook* <https://www3.uwsp.edu/residential-living/Documents/PDF/RLhandbook.pdf>
  - Permitted in Residence Halls • Small microwave ovens (1500 watts or less) • Refrigerators no more than 5.4 cubic feet per room • Coffee maker/single cup brewing systems • Fan (box or rotation) • Juicer • Rice cooker • Stereos • Vacuum Cleaner • Humidifier • Dehumidifier • Space heater (only university provided units, available at hall front desks for checkout)
  - Not Permitted in Residence Halls: • Air conditioner (unless approved by Housing and Residence Life for medical accommodation) • Air Pizza Cooker • Cup Warmer • Deep Fryer • Sun lamp • Wireless router • Oxygen tanks (unless approved by Housing and Residence Life for medical accommodation) • Air fryer • Toasters (unless approved by Housing and Residence Life for medical accommodation)
- Treehaven land use regulations at <https://www.uwsp.edu/cnr-ap/treehaven/Pages/propertyuse.aspx>.

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

- If you discover a fire:
  - Activate alarm
  - Leave building
  - Call fire department: 911
  - Do NOT attempt to re-enter building
  - If you are alerted to a fire by an alarm:
    - Remain calm
    - Keep low
    - Feel the door If the door or doorknob is hot or the hallway is filled with smoke, seal the cracks around your door, hang an object out your window, call 911, keep low to the floor.
    - If you can exit safely, take your key, close your room door, do not use elevator, leave by the nearest smoke-free exit, and stand clear of the building.
    - Do not re-enter the building until the all-clear is sounded. If you need assistance to evacuate, go to a stairwell landing (preferred location) or if unable to reach a stairwell, a room with a window.
      - Call 911 and request immediate assistance to evacuate. Provide dispatcher with your exact location, phone number, building name, floor and room number.
      - Stay on the phone until the dispatcher instructs you to hang up.

- You must evacuate the building when the fire alarm sounds.

### **Reporting Fires**

Depending on location, fires should be reported to the Campus Executive (Marshfield or Wausau), facility Director (CWES or Treehaven) or UW-Stevens Point University Police (Stevens Point). In an emergency, call 911.

Fire Safety training and education for residents is addressed at floor meetings in the residence halls and during student orientation for Treehaven/CWES experiences. This is a review of general fire safety information.

### **Plans for future improvements in fire safety**

UW-Stevens Point will continue to adhere to stringent inspection, testing and maintenance of all fire safety systems, equipment, and devices. The campus also partners with the Stevens Point Fire Department to conduct ongoing compliance inspections and related trainings in our residence halls. All new facilities will be fully alarmed and fire suppression systems. Existing facilities are continually reviewed for needed upgrades and renovations to maintain safety.

### **Terms**

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire drill:** A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-related injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters or any other individuals.

**Fire-related death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire or deaths that occur within one year of injuries sustained as a result of the fire.

**Fire safety system:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire or the control of a fire including:

- sprinkler or other fire extinguishing systems
- fire detection devices
- stand-alone smoke alarms
- devices that alert one to the presence of a fire, such as horns, bells or strobelights
- smoke-control and reduction mechanisms, and
- fire doors and walls that reduce the spread of a fire.

**Cause of fire:** Defined as the factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

- **Intentional Fire:** A fire that is ignited, or that results from a deliberate action, in circumstances where the person knows there should not be a fire.

- Unintentional Fire: A fire that does not involve an intentional human act to ignite or spread fire into an area where the fire should not be.
- Undetermined Fire: A fire in which the cause cannot be determined.

**Value of property damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including:

- contents damaged by fire.
- related damages caused by smoke, water, and overhaul.
- it does not include indirect loss, such as business interruption.

## University of Wisconsin-Stevens Point Campus and Community Fire Safety Resources

### Lincoln County

#### Tomahawk Volunteer Fire Department

1000 N. Tomahawk Ave.

P.O. Box 469, Tomahawk, WI 54487

Emergency: 911

Non-Emergency: 715-453-8180

<http://tomahawkfiredept.com/>

### Marathon County

#### Wausau Fire Department

606 E. Thomas St, Wausau, WI 54403

Emergency: 911

Non-Emergency: 715-261-7900

### National Fire Protection Association

[www.nfpa.org](http://www.nfpa.org)

### Portage County

#### Stevens Point Fire Department

1701 Franklin., Stevens Point, WI 54481

Emergency: 911

Non-Emergency: 715-344-1833

<https://stevenspoint.com/138/Fire-EMS>

### Amherst Fire District

4585 Fairgrounds Rd., Amherst, WI 54406

Emergency: 911

Non-Emergency: 715-824-2699

<https://www.amherstfd.org/>

### UW-Stevens Point

#### University Police and Security Services – Stevens Point Campus

1925 Maria Drive, Stevens Point, WI 54481

Lower level, George Stien Building

Non-Emergency: 715-346-3456

[www.uwsp.edu/protsv](http://www.uwsp.edu/protsv)

#### University Housing and Residence Life – Stevens Point Campus

1108 Fremont Street, Stevens Point, WI 54481

102 Student Services Center

715-346-3511

[www.uwsp.edu/resliving](http://www.uwsp.edu/resliving)

#### University Risk Management – Stevens Point Campus

2100 Main Street, Stevens Point, WI 54481

040D Old Main

715-346-2053

<https://www3.uwsp.edu/FO/Pages/Risk-Management.aspx>

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## 2020 Fire Statistics

Residence Hall	Address	Total Number Fires	Cause	Damage Amount	Number of Injuries	Number of Deaths
Baldwin Hall	425 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Burroughs Hall	201 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Hansen Hall	409 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Hyer Hall	1319 Fremont St. Stevens Point, WI	0	NA	\$0	0	0
Knutzen Hall	209 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
May Roach Hall	301 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Neale Hall	433 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Pray-Sims Hall	501 Reserve St. Stevens Point, WI	1	Undetermined	\$0-\$99	0	0
Smith Hall	409 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Steiner Hall	401 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Suites @ 201	201 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Thomson Hall	1817 Maria Dr. Stevens Point, WI	0	NA	\$0	0	0
Watson Hall	1801 Maria Dr. Stevens Point, WI	0	NA	\$0	0	0
The Villas (Marshfield)	2313 W. 5 <sup>th</sup> Street Marshfield, WI	0	NA	\$0	0	0
Marathon Hall (Wausau)	615 Garfield Ave. Wausau, WI	0	NA	\$0	0	0
CWES	10186 County Rd MM, Amherst Junction, WI	0	NA	\$0	0	0
Treehaven	W2540 Pickerel Creek Road, Tomahawk, WI	0	NA	\$0	0	0

## 2021 Fire Statistics

Residence Hall	Address	Total Number Fires	Cause	Damage Amount	Number of Injuries	Number of Deaths
Baldwin Hall	425 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Burroughs Hall	201 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Hansen Hall	409 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Hyer Hall	1319 Fremont St. Stevens Point, WI	0	NA	\$0	0	0
Knutzen Hall	209 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
May Roach Hall	301 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Neale Hall	433 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Pray-Sims Hall	501 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Smith Hall	409 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Steiner Hall	401 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Suites @ 201	201 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Thomson Hall	1817 Maria Dr. Stevens Point, WI	1	Undetermined	\$100-\$999	0	0
Watson Hall	1801 Maria Dr. Stevens Point, WI	0	NA	\$0	0	0
The Villas (Marshfield)	2313 W. 5 <sup>th</sup> St. Marshfield, WI	0	NA	\$0	0	0
Marathon Hall* (Wausau)	615 Garfield Ave. Wausau, WI	NA	NA	NA	NA	NA
CWES	10186 County Rd. MM, Amherst Junction, WI	0	NA	\$0	0	0
Treehaven	W2540 Pickerel Creek Rd., Tomahawk, WI	0	NA	\$0	0	0

\*NOTE: Marathon Hall has been closed since May of 2020

## 2022 Fire Statistics

Residence Hall	Address	Total Number Fires	Cause	Damage Amount	Number of Injuries	Number of Deaths
Baldwin Hall	425 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Burroughs Hall	201 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Hansen Hall	409 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Hyer Hall	1319 Fremont St. Stevens Point, WI	0	NA	\$0	0	0
Knutzen Hall	209 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
May Roach Hall	301 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Neale Hall	433 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Pray-Sims Hall	501 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Smith Hall	409 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Steiner Hall	401 Isadore St. Stevens Point, WI	0	NA	\$0	0	0
Suites @ 201	201 Reserve St. Stevens Point, WI	0	NA	\$0	0	0
Thomson Hall	1817 Maria Dr. Stevens Point, WI	0	NA	\$0	0	0
Watson Hall	1801 Maria Dr. Stevens Point, WI	0	NA	\$0	0	0
The Villas (Marshfield)	2313 W. 5 <sup>th</sup> St. Marshfield, WI	0	NA	\$0	0	0
Marathon Hall* (Wausau)	615 Garfield Ave. Wausau, WI	NA	NA	NA	NA	NA
CWES	10186 County Rd. MM, Amherst Junction, WI	0	NA	\$0	0	0
Treehaven	W2540 Pickerel Creek Rd., Tomahawk, WI	0	NA	\$0	0	0

\*NOTE: Marathon Hall has been closed since May of 2020

# University of Wisconsin-Stevens Point

## Drug Free Schools and Communities Act: Alcohol and Other Drugs Information

The University of Wisconsin-Stevens Point, in collaboration with city and community agencies, has created the UW-Stevens Point Center for Prevention. The Center for Prevention seeks to employ best practices to address the alcohol and other drug use culture among members of the UW-Stevens Point community to foster an environment that optimizes learning and engagement for students. The information shared below is included in accordance with the requirements of the *Drug Free Schools and Communities Act*.

In compliance with the Drug Free Schools and Communities Act, University of Wisconsin-Stevens Point publishes information regarding the University's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for UWSP students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at: <https://www.uwsp.edu/dos/aoda-ipv/Pages/dfsca.aspx>.

### Services and Programs

Upon entering the institution UW-Stevens Point new, residential students learn about university alcohol and drug policies, the non-academic behavioral misconduct process, and support services through the Center for Prevention. Electronic Check-up to Go (E-CHUG) for Alcohol and for Marijuana are online programs available to students 24/7 at no cost. Also, several units and departments offer alcohol education including Housing and Residence Life, Center for Prevention, and Greek-letter organizations. Additional early intervention and educational services include brief motivational interventions for students. More information about the UW-Stevens Point Center for Prevention can be found at <https://www.uwsp.edu/dos/aoda-ipv>.

The Student Health Service screens its patients using the Alcohol Use Disorders Identification Test (AUDIT). The university refers students involved in policy violations to an alcohol and/or marijuana education class.

### Campus Resources for Employees

For faculty and staff, the Human Resources supports an Employee Assistance Program. Information for employees can be found at <https://www3.uwsp.edu/hr/Pages/Employee-Wellness.aspx>.

### University Standards of Conduct and Sanctions Concerning Illicit Drugs and Alcohol

UW System Chapter 18 Conduct on University Lands. (The following is excerpted.)

- Smoking tobacco and vaping are not allowed in residence halls, nonresidential buildings, or anywhere on campus. The UW-Stevens Point campus is tobacco free effective August 2014. Similarly, UW-Stevens Point at Marshfield and UW-Stevens Point at Wausau do not allow tobacco use in or near any campus buildings. CWES and Treehaven do not allow tobacco use in any of their facilities and have designated specific locations away from buildings where tobacco may be used.

- The use or possession of alcohol beverages (fermented malt beverages and intoxicating liquors containing 0.5% or more of alcohol by volume) is prohibited on all university premises, except in faculty and staff housing and as permitted by the chief administrative officer, subject to statutory age restrictions. No person may procure, sell, dispense or give away alcohol beverages to any person contrary to the provisions of ch. 125, Stats.
- No person may intentionally use or possess marijuana on university lands.
- No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of Ch. 961, Stats. In this subsection, the term “drug paraphernalia” has the meaning specified in s. 961.571(1), Stats.; the term “controlled substance” has the meaning specified in s. 961.01(4), Stats.; and the term “controlled substance analog” has the meaning specified in s. 961.01(4m), Stats.
- The student conduct process, to include the full list of possible sanctions, is outlined in UWS Chapter 17.
- Sanctions for alcohol and drug policy violations are outlined below.

Incident	Sanction Guidelines for Alcohol Violations	Sanction Guidelines for Drug Violations
Level One	<ol style="list-style-type: none"> <li>Judicial Educator Module 5: Personal Decision Making</li> <li><b>Educational Component:</b> (PACE) Personal Alcohol Control through Exploration class (\$200 program fee plus follow up meeting with the Center for Prevention)</li> </ol>	<ol style="list-style-type: none"> <li>Judicial Educator Module 5: Personal Decision Making</li> <li><b>Educational Component:</b> Marijuana 101 – an online marijuana education exercise, 6 lessons, 3 hours (\$200 program fee plus follow up meeting with the Center for Prevention)</li> <li>Parent/legal guardian notification by letter</li> </ol>
Level Two	<ol style="list-style-type: none"> <li>Parental/legal guardian notification by letter</li> <li><b>Educational Component:</b> (BASICS) Brief Alcohol Screening and Intervention for College Students (first 60-minute meeting; personal inventory; second 60-minute meeting; \$350 program fee)</li> <li>Alcohol use reflection paper</li> </ol>	<ol style="list-style-type: none"> <li>Parental/legal guardian notification by phone with student</li> <li><b>Educational Component:</b> (CASICS) Cannabis Screening and Intervention for College Students (first 60-minute meeting; personal inventory; second 60-minute meeting; \$350 program fee)</li> <li>On campus residence hall relocation</li> <li>Drug use reflection paper</li> </ol>
Level Three <i>Referred to the Dean of Students Office</i>	<ol style="list-style-type: none"> <li>12 months University Disciplinary Probation</li> <li>On campus residence hall relocation</li> <li>Parental/legal guardian notification via phone call by the Dean of Students Office</li> <li>Financial restitution (if damages are incurred)</li> <li>Signed statement of suspension</li> <li><b>Educational Component:</b> Referral to UWSP AODA assessment (\$175 program fee) or external agency referral</li> </ol>	<ol style="list-style-type: none"> <li>12 months University Disciplinary Probation</li> <li>Residence Hall contract termination</li> <li>Parental/legal guardian notification via phone call by the Dean of Students office</li> <li>Signed statement of suspension</li> <li><b>Educational Component:</b> Referral to UWSP AODA assessment (\$175 program fee) or external agency referral</li> </ol>

## **Federal and State Laws**

### **Federal Legal Sanctions**

Pursuant to federal law, the United States Sentencing Guidelines establish mandatory minimum penalties for categories of drug offenses and provide for penalty enhancements in specific cases. Under these federal guidelines, courts can sentence a person for up to 6 years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana; a sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury; and, possession of more than 5 grams of cocaine can trigger an intent to distribute penalty of 10 –16 years in prison.

### **Federal Penalties and Sanctions for Illegal Possession of Controlled Substances**

- 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.
- 21 U.S.C. 853(a)(2) and 881(a)(7) 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, above.)
- 21 U.S.C. 881(a)(4) Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
- 21 U.S.C. 844a Civil fine of up to \$10,000.
- 21 U.S.C. 862 Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.
- 18 U.S.C. 922(g) Ineligible to purchase, receive or transport a firearm. Miscellaneous Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc.

### **State of Wisconsin Laws and Potential Sanctions**

The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and outlines specific penalties for the violation of the regulations. A first-time conviction for possession of a controlled substance can result in a sentence of up to one year in prison and a fine of up to \$5,000. Sec. 961.41(3g), Stats. A person convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with an intent to manufacture or deliver, can be imprisoned for up to 30 years and fined up to \$1,000,000. Secs. 961.41(1) and (1m), Stats. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term.

Sec. 961.46, Stats. Wisconsin has formidable legal sanctions that restrict the use of alcohol in various situations. It is illegal to procure for, sell, dispense or give away alcohol to anyone who has not reached the legal drinking age of 21 years. Sec. 125.07(1)(a)(1), Stats. Every adult has a legal obligation to prevent the illegal consumption of alcohol on premises owned by the adult or under the adult's control.

Sec.125.07(1)(a)(3), Stats. A first-time violator of either of the above subsections can be fined up to \$500. It is against the law for an underage person to procure or attempt to procure an alcoholic beverage, to falsely represent his or her age for the purpose of obtaining alcohol, to enter premises licensed to sell alcohol, or to consume or possess alcohol on licensed premises. Sec. 125.07(4)(a), Stats. A first-time underage violator of Section 125.07(4)(bs), Stats., can be fined up to \$500, ordered to participate in a supervised work program, and have their driver's license suspended.

### **Health Effects of Alcohol and Other Drugs**

This is a brief summary of some of the principal health risks and hazards associated with the use of illicit drugs and alcohol. It is neither comprehensive nor exhaustive. For more detailed information concerning the dangers of drugs and alcohol, students should consult your doctor or a drug and alcohol rehabilitation counselor.

**Alcohol and Other Depressants** (barbiturates, sedatives and tranquilizers) Addiction, accidents as a result of impaired ability and judgment, alcohol overdose, overdose when used with other depressants, causes damage to a developing fetus, heart and liver damage.

### **Marijuana**

Impairs short-term memory, thinking and physical coordination. Can also cause panic reaction and increase the risk of lung cancer and emphysema. Can interfere with judgment, attention span, concentration and overall intellectual performance. Impairs driving ability. May cause psychological dependence and compromise the immune system.

### **Cocaine**

Addiction, cardiovascular system damage including heart attack, brain damage, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

### **Nicotine**

Tobacco smoke contains thousands of chemical compounds, many of which are known to cause cancer. Nicotine, which is a central nervous system stimulant, produces an increase in heart and respiration rates, blood pressure, adrenaline production and metabolism. People can rapidly become physically and psychologically dependent on tobacco. Nicotine compromises the immune system.

### **Inhalants**

Inhalants are a diverse group of chemicals that easily evaporate and can cause intoxication when their vapors are inhaled. Most inhalants are central nervous system depressants. Use of these drugs slow down many body functions. High doses can cause severe breathing problems.