

Employees' Right to Know 2011



Alcohol and Other Drug Use

College Security Policy & Statistics

Sexual Assault

Harassment

Other WITC Policies



WISCONSIN
INDIANHEAD
TECHNICAL
COLLEGE

WHY THIS BOOKLET IS NECESSARY...

The Wisconsin Legislature and the U.S. Congress have passed numerous laws which require colleges and universities to provide written information about their experience and policies regarding alcohol and drugs, safety and security, student misconduct and campus crime. The laws are not intended to frighten, but rather to inform students and employees about the environment in which they study and work.

The Wisconsin Indianhead Technical College (WITC) strives to maintain a campus environment that is safe and supportive of the educational process. Please take a few minutes to read through this booklet carefully. Hopefully, the information contained herein will alert you to potential problems before they occur and/or direct you to helpful resources if and when problems do occur. Your assistance in helping us to maintain a safe and supportive learning environment will be appreciated. If you have questions concerning any of the information contained in this publication, contact Cher Vink, Associate Vice President, Human Resources & Employee Relations or Mary Hansen, HR Specialist, Safety & Security at WITC Administrative Office, 505 Pine Ridge Drive, Shell Lake, WI 54871, telephone 800/243-9482 OR 715/468-2815. Email: Cher.Vink@witc.edu or Mary.Hansen@witc.edu. TTY: 711.

Alcohol and Other Drug Use

Standard of Conduct for Drugs and Alcohol

The Wisconsin Indianhead Technical College (WITC) believes the use and abuse of alcohol and other drugs interferes with a person's ability to learn and grow in the college environment. To that end, the College has established the following alcohol and drug policy for students, staff and visitors.

- A. The use, possession, manufacture, delivery or sale of illegal drugs is prohibited from all WITC campuses and other instructional sites as well as from all WITC sponsored activities.
- B. The possession and/or use of any beverage containing alcohol, including beer and other malt beverages, wine, wine coolers or distilled beverages on college property is prohibited (except in approved hospitality services curricula).
- C. The possession and/or use of alcohol as a part of any off-campus, college-sponsored activity without prior approval from the President (or his designee) are prohibited. If alcoholic beverages are present at off-campus WITC-sponsored activities, provisions must be made to accommodate any student under 21 years of age. All college-sponsored student activities (using tax dollars and/or activity fees) must be open to all students regardless of age.
- D. The consumption of alcoholic beverages is prohibited during the program/activity portion of any educational field trip or while in transit to/from the campus.
- E. The use of alcoholic beverages in any WITC Conference Center is not to be encouraged and will be authorized only in rare and unusual circumstances with the prior approval of both the local Campus Administrator and the President.
- F. The expenditure of student activity fees for alcoholic beverages is not allowed.
- G. The advertising of alcoholic beverages is prohibited on WITC property and in College publications.
- H. Any student or employee who violates this policy or exhibits disruptive/abusive behavior while on WITC property, while at other WITC instructional sites or while attending any WITC-sponsored activity may be asked to leave/be escorted from the premises. In the case of serious behavioral problems, law enforcement personnel will be called.
- I. Staff or students found in violation of this policy will be subject to disciplinary action which may include written reprimand, suspension, expulsion, or loss of employment, and/or referral to law enforcement authorities. Rehabilitation may be a condition for continued association with the College.

State of Wisconsin and Federal Legal Sanctions

Substantial restrictions against alcohol abuse exist in Wisconsin. It is against the law to sell alcohol to anyone who has not reached the legal drinking age of 21. There is a concurrent duty on the part of an adult to prevent the illegal consumption of alcohol on his/her premises, **Wis. Stats. 125.07**. Violation of this statute can result in a \$500 fine. It is against the law for an underage person to attempt to buy an alcoholic beverage, falsely represent his/her age or enter a licensed premise. Offenders can be fined \$500, ordered to participate in a supervised work program, and/or have their driver's license suspended. Harsher penalties exist for retailers of alcoholic beverages, including up to 90 days in jail and revocation of their retail liquor permit.

The laws of Wisconsin also prohibit drug possession and delivery through the **Uniform Controlled Substances Act, Wis. Stats. 961**, which mandates penalties of up to 30 years in prison and fines of up to \$1,000,000. A person with a first-time conviction for possession of a controlled substance can be sentenced up to one year in prison and fined up to \$5,000. Penalties vary according to the type and amount of drug confiscated, the number of previous offenses by the individual and whether the individual intended to manufacture, sell, or use the drug. In addition to the penalties for possession or delivery, sentences can be doubled when other offenses are involved, such as when a person distributes a controlled substance to a minor.

The federal government has recently revised the penalties against drug possession and trafficking through its Federal Sentencing Guidelines, which reduce the discretion that federal judges may use in sentencing offenders of federal drug statutes. Under these guidelines courts can sentence a person up to 6 years in prison for the unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana. A sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury. Possession of more than 5 grams of cocaine can trigger intent to distribute penalty of 10-16 years in prison, **U.S.S.G.s 202.1(b)(1)**.

College Sanctions

Employees

Whenever an employee is found to be in violation of **the Drug-Free Workplace** policy or the **Drug-Free Schools** policy, he/she will be subject to penalties up to and including termination. Employees may also be required to satisfactorily participate in a drug abuse rehabilitation program, at their own expense, before being allowed to return to work. Appropriate action will be taken within thirty (30) days of WITC's receiving notification that a conviction or violation has occurred.

College Security Policy and Crime Statistics

College Security Policy

The College attempts to maintain a high level of safety and security at all of its campuses and operating centers. The following information is provided in conjunction with that commitment and in conformance with the guidelines of the **Crime Awareness and Campus Security Act of 1990**.

Campus Law Enforcement

The College does not have its own security force, however, a cooperative and professional relationship exists between the College and the police departments in each of the cities where facilities are located. Information is exchanged with law enforcement agencies regarding security reports in order to maintain informed cooperative efforts in preventing campus crime and resolving crime-related problems.

Reporting of Criminal Actions

To report a security situation **contact the Information Services desk** at the location (campus or administrative office) at which the incident occurred as quickly as possible. In an emergency situation, the Information Services Staff will immediately contact the Campus Administrator (or designee) who will take appropriate action as dictated by urgency.

During the academic school year the Information Services desks at the WITC campuses are open as follows, however, please refer to the identified campus website for the most up-to-date information:

❖ **Ashland Campus**

M: 7:30 a.m. – 8:00 p.m. • T-Th: 7:30 a.m. – 6:30 p.m. • Fri: 7:30 a.m. - 4:30 p.m.
Summer:

M & W: 7:30 a.m. – 6:30 p.m. • T-Th-Fri: 7:30 a.m. – 4:30 p.m.

<http://www.witc.edu/ashland/services.htm>

❖ **New Richmond Campus**

M-Th: 7:30 a.m. – 6:45 p.m. • Fri : 7:30 a.m. - 4:00 p.m.

<http://www.witc.edu/newrichmond/services.htm>

❖ **Rice Lake Campus**

M-Th: 7:00 a.m. - 8:00 p.m. • Fri: 7:00 a.m. - 4:30 p.m.

<Http://www.witc.edu/ricelake/services.htm>

❖ **Superior Campus**

M-Th: 8:00 a.m. – 6:30 p.m. • Fri: 8:00 a.m. – 4:30 p.m.

Summer:

M & W: 8:00 a.m. – 5:30 p.m. • Fri: 8:00 a.m. – 4:00 p.m.

<http://www.witc.edu/superior/services.htm>

❖ **Shell Lake Administrative Office**

M-F: 8:00 a.m. - 4:30 p.m.

Incidents occurring outside of the normal school day should be reported to the evening supervisor/manager at the facility. Summer hours at each location will be posted to indicate when the Information Services desk is open. Incidents involving injury, burglary, or theft will receive **immediate** response through appropriate medical emergency and/or law enforcement involvement. Custodial staff on duty will provide back-up to Information Services Staff in the incident response process. Campus Administrators are responsible for security responses at the campuses. The Vice President, Finance & Business Services/Chief Financial Officer is contacted concerning Administrative Office security concerns. All security incident reports filed will be conveyed on a daily basis to the appropriate administrator.

Security and Access to Campus Facilities

The College maintains a commitment to campus security and safety. Exterior lighting in the parking lots, pedestrian walkways and exterior of buildings is provided to illuminate these areas.

College buildings are secured and periodically monitored by facilities staff and police patrol. Exterior doors are locked and buildings secured as listed below.

Ashland:	10:00 p.m. - 6:00 a.m. Monday-Friday 5:00 p.m. Friday - 6:00 a.m. Monday
New Richmond:	10:00 p.m. - 6:00 a.m. Monday-Friday 6:00 p.m. Friday - 8:00 a.m. Saturday 4:00 p.m. Saturday - 6:00 a.m. Monday
Rice Lake:	10:30 p.m. - 7:00 a.m. Monday-Friday 5:00 p.m. Friday - 8:00 a.m. Saturday Noon Saturday - 7:00 a.m. Monday

Superior:	10:00 p.m. - 6:00 a.m. Monday-Friday 6:00 p.m. Friday - 6:00 a.m. Monday 4:00 p.m. Saturday – 6:00 a.m. Monday
Shell Lake:	4:30 p.m. - 7:30 a.m. Monday-Friday 4:30 p.m. Friday - 7:30 a.m. Monday

NOTE: *Weekend and summer hours vary according to scheduled activities*

The College grounds and landscaping are maintained by the facilities and custodial staff, assuring safety for pedestrians with concern for vehicle traffic considerations.

Crimes for Which Occurrences Need to Be Reported

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

Sex Offenses: (a) Forcible sex offense - “Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against that person’s will where the victim is incapable of giving consent.” Forcible sex offenses include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. (b) Non-forcible sex offenses are acts of “unlawful, non-forcible sexual intercourse.” They include incest and statutory rape.

Depending on the circumstances, acquaintance rape could be either a forcible or non-forcible sex offense.

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This offense is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm such as apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. An unsuccessful attempt to commit murder would be classified as an aggravated assault. Note that it is not necessary that an injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.

Burglary (Breaking and Entering): The unlawful entry into a building or other structure with the intent to commit a felony or a theft. Note that forced entry is not a required element of the offense. Thus, a burglary offense will be considered to have occurred for reporting purposes so long as the entry is unlawful, i.e., it constitutes a trespass (even if it was accomplished via an unlocked door or window). Included within thief offense are unsuccessful attempts where force is employed or where a perpetrator is frightened off while entering an unlocked door or climbing through an open window.

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

A yearly report is compiled by the College based upon the Security Incident Reports filed during the year. This report is reviewed by the College Board for appropriate action with regard to operational policies and procedures.

Crimes In Cities Where Campuses Are Located (2009)

	Murder	Rape	Robbery	Aggravated Assault	Burglary	MV Theft
Ashland	0	4	2	23	73	17
New Richmond	0	0	1	0	35	4
Rice Lake	0	1	4	16	30	17
Superior	0	7	19	46	201	48

Source: Wisconsin UCR Program, Office of Justice Assistance, Madison, Wisconsin

Crime Occurrences on WITC Campuses by Calendar Year

<u>Type of Crime</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Murder	0	0	0	0
Sex Offenses	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0

Arrests Made on Campus

Institutions must also report the number of arrests for the following crimes that occur on campus: Liquor law violations, drug abuse violations, and weapons possessions. An "Arrest" has occurred when a law enforcement officer has detained an individual with the intention of seeking charges against the person for a specific offense(s) and a record is made of the detention.

Definitions of crimes for which arrest must be reported:

Liquor Law Violations: Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages. The April 29, 1994, final regulations specifically exclude from this section the offenses of "driving under the influence" and "drunkenness."

Drug Abuse Violations: Violations of laws prohibiting the possession, sale, production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation or use.

Weapons Possessions: Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Number of Arrests on WITC Campuses (2009)

Liquor law violations	0
Drug abuse violations	0
Weapons possessions	0

How to Obtain Information about Crime Prevention

Informational brochures and supporting prevention information are provided for all students and staff through college orientation and in-service activities.

Criminal Activity of Off-Campus Student Organizations

WITC currently does not recognize any off-campus student organization. Student conduct codes enumerate and describe acceptable behavior and sanctions for misconduct actions relating to drugs and alcohol, assaults, weapons and other security-related concerns.

Alcohol and Drug Policies

WITC has developed policy and procedures regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws and a statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of federal and state drug laws and a description of any drug or alcohol abuse education programs. These policy statements are included in this informational booklet.

Sexual Assault

In compliance with Wis. Act 177 and concern for students and employees, WITC provides the following information:

Sexual Assault of an Adult: Definitions and Penalties

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.

Penalty for first-degree sexual assault is imprisonment for not more than sixty years.

Second Degree Sexual Assault

Whoever does any of the following is guilty of Class BC 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.
- D. Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
- E. 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.
- F. Is an employee of an inpatient facility or a state treatment facility and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility.

Penalty for second-degree sexual assault is imprisonment for not more than thirty years and/or a fine of not more than \$10,000.

Third Degree Sexual Assault

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

Penalty for third degree sexual assault is imprisonment for not more than ten years and/or a fine of not more than \$10,000.

Fourth Degree Sexual Assault

Whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

Penalty for fourth degree sexual assault is imprisonment for not more than nine months in the county jail and/or a fine of not more than \$10,000.

Sexual Assault of a Child: Definitions and Penalties

First Degree Sexual Assault

Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 13 years is guilty of Class B felony.

Penalty for first-degree sexual assault is imprisonment for not more than sixty years.

Second Degree Sexual Assault

Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 16 years is guilty of Class BC felony.

Penalty for second-degree sexual assault is imprisonment for not more than thirty years and/or a fine of not more than \$10,000.

Failure to Act - A person responsible for the child's welfare is guilty of a Class C felony if that person has knowledge that another person intends to have, is having or has had sexual intercourse or sexual contact with the child, is physically and emotionally capable of taking action which will prevent the intercourse or contact from taking place or being repeated, fails to take that action and the failure to act exposes the child to an unreasonable risk that intercourse or contact may occur between the child and the other person or facilitates the intercourse or contact that does occur between the child and the other person.

Penalty of second-degree sexual assault is imprisonment for not more than thirty years and/or a fine of not more than \$10,000.

Death of Victim - This section applies whether a victim is dead or alive at the time of the sexual contact or sexual intercourse.

Sexual Exploitation by Therapist

Sexual Contact Prohibited

Any person who is or who holds himself/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 C felony. Consent is not an issue in an action under this subsection.

Penalty for sexual exploitation by a therapist is imprisonment for not more than fifteen years and/ or a fine of not more than \$10,000.

Protective Behaviors

Being Aware

Being aware that sexual assault can happen to you is the first step in self-protection. Thinking that sexual assault only happens to someone else could increase your chances of actually becoming a victim.

Once you accept the fact that you may become a victim, the next step is to decrease your vulnerability by increasing your ability to protect yourself.

- Be aware of the people who are around you (i.e. on the street, in the elevator, on the bus.)
- Be aware of areas of potential danger: high crime areas, unlit streets, vacant lots, alleys, dark doorways, and parking lots. Be aware of areas where you can seek help: 24-hour stores, police station, houses with lights on, restaurants, and hospitals.
- Know the facts about sexual assault.

Assertiveness

First learn to present yourself as strong and capable. Appearing shy and afraid are signals to an assailant that you will be an easy victim.

- Body language: make eye contact with people on the street approaching you and those you meet in elevators; walk erect with a firm step.
- Appear confident.
- If you are approached don't be afraid to make a scene. As a person you have rights. If someone violates you in any way, you do not have to tolerate it.
- You have the right to say no. Say it as loudly and as often as you need to. Sounding like a broken record may eventually discourage the potential attacker.
- Know you have the right to set sexual limits.
- Communicate those limits to people.
- Be honest with people about what you want or don't want.
- Trust your feelings. If you feel you are in danger, you're probably right.
- Act on those feelings; do not ignore them. Walk or run away, get angry, seek help.

How to Avoid Sexual Assault Situations

Home

We all like to feel safe in our homes and apartments and often don't consider the possibility of being attacked while at home. There are some ways, however, that you can make your home safer.

- Do not allow anyone in your home with whom you are not comfortable or do not know
- Always check identification of repair/sales people before opening your door. If you have doubts, call the employer.
- If you live alone, do not advertise it. Use only last name on mailbox and first initial and last name in phone book.
- Teach children not to open the door or give out information by phone about who is home, or how long they may be out.
- When you come home, if you notice any signs of tampering on doors or windows, do not go inside. Leave immediately and call police.
- Install dead bolt locks and a peephole viewer in the door and use them.

- Never open your door without knowing who is on the other side.

While Driving or Riding

Be especially cautious even when driving your car and/or using public transportation. Reduce risks by taking these precautions.

- Have keys ready in your hand for your car or home.
- Park your car in well-lighted areas.
- After entering or leaving your car, always lock the door.
- If you think you are being followed, drive to a public place or police station.
- When taking public transportation wait in a well-lighted place.
- Notice who gets on and off with you.
- Sit near the driver.
- If you feel you are being followed by someone, go to the nearest well-lighted area or house/business and request help.

Date or Acquaintance Rape

We all have the right to pursue a social life without being hindered by the fear of sexual assault. However, the reality is that people are more often assaulted by people they know than by strangers. Both direct attacks by strangers and subtle coercion by dates or friends can be considered sexual assault because neither offers choice. It is important to remember that every person has the right to set social/sexual limits.

The following are common examples of how and when women and men may feel pressured, intimidated or coerced into sex.

- Date expects sex in exchange for buying dinner or drinks.
- "If you love me, you'll have sex with me."
- "Nobody will believe you didn't want to have sex with me when you invited me in after our date."
- "We're married. It's your duty to have sex with me."

If you feel your date is pressuring you into sex you don't want, be assertive in expressing your feelings. Every person has the right to say "NO."

If Attacked

Because all people and all situations are different, there is no one-way to protect yourself. We all have different capabilities and you must decide for yourself the best defense method for you. Don't panic. THINK.

There are many factors that will determine how you may react. Make a quick assessment of the situation. Is there a weapon involved? Is there available help? Is there a means of escape? Do you have something you could use as a weapon or could an element of surprise throw the attacker off guard? There is no wrong decision. You'll do what you have to do to survive.

Immediate assertive action has been shown to be effective in many situations.

If the assault can't be prevented, concentrate on identifying characteristics so you can make an accurate report to the police. Reporting sexual assaults or attempted assaults to the police is a personal decision. Reporting can help prevent the assailant from victimizing others in the future.

After an assault, do not change clothing, shower, bathe or apply medication, even though this would be your natural reaction. The physical evidence will be important in the prosecution of the attacker should you decide to report the assault.

It is recommended that you have a medical exam not only for collection of evidence, but also because of the possibility of injury, pregnancy or venereal disease.

Sexual Assault Facts

SEXUAL VIOLENCE IS ANY ACT (VERBAL AND/OR PHYSICAL) WHICH BREAKS A PERSON'S TRUST AND/OR SAFETY AND IS SEXUAL IN NATURE. Sexual assaults are acts of violence where sex is used as a weapon. Assaults are motivated primarily out of anger and/or a need to feel powerful by controlling, dominating, or humiliating the victim.

In the United States

- In 2009, the number of forcible rapes was estimated at 88,097. By comparison, the estimate volume of rapes for 2009 was 2.6% lower than in 2008, 6.6% lower than in 2005, and 2.3% lower than in 2000.
- The rate of forcible rapes in 2009 was estimated at 56.6 per 100,000 female inhabitants, a 3.4% decrease when compared with the 2008 rate of 58.6 per 100,000.
- Rapes by force comprised 93% of reported rape offenses in 2009, and attempts or assaults to commit rape accounted for 7% of reported rapes.

Source: U.S. Department of Justice

In Wisconsin

- In 2009, the number of forcible rape crimes reported to law enforcement agencies decreased by 1.2%.
- The forcible rape rate in 2009 was 19.8 per 100,000 Wisconsin residents.
- Personal weapons, such as hands, fists, and feet were used in 72% of forcible rape offenses.
- Fifty-nine percent of forcible rapes were cleared by arrest in 2009, down two percent from 2008.

Source: Office of Justice Assistance, Madison, WI

Date Rape

- 1 in 6 women report being sexually assaulted during their years in college.
- 47% of college-age women report having been sexually assaulted by first or casual dates or by acquaintances at some time in their life.
- 1 in 12 college-age men admit having fulfilled the prevailing definition of rape or attempted rape, yet virtually none of these men identify themselves as rapists.
- Over 50% of high school boys and 42% of high school girls believe that there are times when it is "acceptable for a male to hold a female down and physically force her to engage in intercourse."

THIS IS NEVER LEGAL.

Basic Bill of Rights for Victims and Witnesses

Victims and witnesses of crimes have the following rights:

- To be informed of your rights and how to exercise your rights.
- To information regarding the offender's release from custody.
- To be notified of a decision not to prosecute if an arrest has been made.

- To speak with the Assistant Attorney General (AAG), or prosecutor representative upon your request, about the possible outcome of the case, potential plea agreements and sentencing options.
- To attend court proceedings in the case.
- To have reasonable attempts made to notify you of the time, date and place of upcoming court proceedings, if you so request.
- To be provided with a waiting area separate from defense witnesses.
- To a speedy disposition of the criminal case.
- To have your interest considered when the court is deciding to grant a request for a delay (continuance).
- To be notified if charges are dismissed.
- To be accompanied to court by a service representative. This right is limited to specific types of crimes.
- To ask for assistance with your employer if necessary, resulting from court appearances.
- To request an order for, and to be given the results of, testing the offender for sexually transmitted diseases or HIV. This right is limited to specific types of crimes.
- To provide a written or oral victim impact statement concerning the economic, physical and psychological effect of the crime upon you to be considered by the court at sentencing.
- To have the impact of the crime on you included in a presentence investigation.
- To be provided sentencing or dispositional information upon request.
- To restitution as allowed by law.
- To a civil judgment for unpaid restitution.
- To compensation for certain expenses as allowed by law.
- To have your property expeditiously returned when it is no longer needed as evidence.
- To be notified of the offender's eligibility for parole and to have input into the parole-making decision.
- To have the Department of Corrections make a reasonable attempt to notify you of specific types of releases, escapes or confinements as provided by law.
- To have a reasonable attempt made to notify you of a pardon application to the governor and to make a written statement regarding the pardon application.
- To contact the Department of Justice about any concerns you may have about your treatment as a crime victim.

In order to receive information you must keep the appropriate agency informed of your current address and telephone number.

Services Available

For support and counseling opportunities after a sexual assault or rape crisis, contact the counseling office at any of the WITC colleges listed below or the Affirmative Action Officer (Associate Vice President, Human Resources & Employee Relations) at the WITC Shell Lake Administrative Office: 715/468-2815.

WITC-Ashland	715/682-4591
WITC-New Richmond	715/246-6561
WITC-Rice Lake	715/234-7082
WITC-Superior	715/394-6677
WITC-Shell Lake	715/468-2815

Discrimination/Harassment

1. "Discrimination" shall mean a difference in treatment in any service, program, course or facility of WITC on the basis of race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status, political affiliation, or arrest or conviction. Discrimination may be in the form of harassment such as:
 - a. Unsolicited and repeated derogatory epithets, derogatory statements or gestures made to a person because of his/her protected status.
 - b. Any attempt to penalize or punish a person because of his/her protected class status.
2. "Sexual Harassment," means unwelcome sexual advances, unwelcome physical contact of a sexual nature, unwelcome request for sexual favors, and other verbal or physical conduct of a sexual nature (including, but not limited to, the deliberate, repeatedly making unsolicited gesture or comments, or the deliberate or repeated display of offensive, sexually graphic materials, which is not necessary for educational purpose. When:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's status as a student or employee;
 - b. Submission to or rejection of such conduct by an individual is used as a basis for enrollment, rating, or grading of a student or employee;
 - c. Such conduct has the purpose or effect of substantially interfering with an individual's academic or work progress, or creating an intimidating, hostile, or offensive academic or working environment.

Sexual Harassment

Sexual harassment is defined as:

- A. Unwelcome sexual advances
- B. Unwelcome requests for sexual favors
- C. Unwelcome physical contact of a sexual nature
- D. Unwelcome verbal or physical conduct of a sexual nature. Such conduct includes
- E. The deliberate, repeated making of unsolicited gestures or comments of a sexual nature
- F. The deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes, or
- G. 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 or educational environment
- H. Conduct directed by a person at another person of the same or opposite gender

Examples of Sexual Harassment

1. Whistling or cat-calling
2. Vulgar and obscene jokes
3. Crude or vulgar language
4. Pinching or patting
5. Unwelcome hugging
6. Grabbing or tearing someone's clothing
7. Leering or "undressing" the person with your eyes
8. Pressuring someone to sit on your knee, hug you, kiss you
9. Leaning over someone for a "better view"
10. Commenting on the clothing of an individual in a sexual way; for example, "Boy, I sure like the way those pants fit"
11. Jokes or comments that put women or men down
12. Recounting one's sexual exploits in the office, classroom or work area
13. Referring to someone in demeaning terms; example, "girl", "sweetie", or "hunk"
14. Repeatedly asking someone for a date after you have been turned down
15. Displaying crude jokes and pictures, including pinups from magazines such as Playgirl or Playboy
16. Revealing parts of your body that violate common decency
17. Starting and spreading rumors about the sex life of a fellow employee or student
18. Physically forcing sexual activity on someone
19. Stalking someone
20. Vulgar or obscene slogans on any items of clothing, caps, shirts, etc.

It is possible for sexual harassment to occur within different levels of relationships: between instructors and students, supervisors and work study students, student to student, supervisor to employee, and employee to employee. An employer may also be responsible for the acts of non-employees, where the employer (or its agents or supervisory employees) knows or should have known of the conduct and fails to take immediate and appropriate corrective action.

What Can You Do About Sexual Harassment?

Step One: Individual Level of Response

The harassed person may confront the harasser directly or send a letter to the harasser. The letter should have a factual account of what happened, a description of how the writer feels about what happened, and what the writer wants to happen next (for example, "I want you to stop harassing me and leave me alone"). Writing the letter can give the writer a sense of doing something constructive about the situation. It can also give the harasser a new perception of how his/her behavior is experienced by others.

Step Two: Informal Discussion

You may discuss your concerns with the Campus Administrator, a counselor, or with the Associate Vice President, Human Resources & Employee Relations at WITC Administrative Office, Shell Lake WI, 715/468-2815.

Step Three: Formal Grievance

A written complaint must be filed within 300 days of the alleged harassment to the appropriate administrative personnel as outlined in your Student Handbook. Obtain a copy of the complaint form from the student services office, Campus Administrator office, counselor, or the Affirmative Action Officer (Associate Vice President, Human Resources & Employee Relations). Your complaint should give in detail the time, place, pertinent facts and circumstances. Send copy to Affirmative Action Officer (Associate Vice President, Human Resources & Employee Relations), WITC Administrative Office, 505 Pine Ridge Drive, Shell Lake WI 54871.

Step Four: Investigation

Upon receipt of a discrimination/harassment/sexual assault report, the Affirmative Action Officer will conduct or authorize an investigation of the incident(s) in question and attempt to arrive at a voluntary resolution of the matter.

In addition, the President and College Board will be informed that a report has been filed and is pending review.

Within ten (10) working days or school days from the receipt of the report, the Affirmative Action Officer will initiate the following as needed:

- a. Conduct individual meetings with the person who filed the report and with other persons identified in the report as being either witnesses to or responsible for the alleged act(s) of discrimination/harassment.
- b. Conduct group meetings with the principal parties involved in the incident(s) in question.
- c. Attempt to resolve the matter to the mutual satisfaction of the principal parties involved. If resolved, a written notice will be sent to the President and College Board.
- d. If the matter cannot be resolved, the individual will have the option to proceed to an appeal hearing with the College Board. The appeal hearing would be in accordance with Step 6. Appeal Process.

Step Five: Decisions

If there is a finding of discrimination or harassment, the Affirmative Action Officer will take appropriate administrative action. Individuals discriminating against students or staff will be subject to discipline under appropriate WITC policies and, as applicable, collective bargaining agreements.

The College will take other necessary corrective action to remedy any instances where discrimination/harassment is determined to have occurred. Notice of the action will be sent to the principal parties involved, the President, College Board, and the College Affirmative Action Officer.

Step Six: Appeal Process

Within five (5) working days or school days following notification of the action taken by the Affirmative Action Officer, either of the principal parties involved may file an appeal with the President for a hearing with the College Board. The College Board will, if practical, consider the request for appeal at its next regularly-scheduled meeting (but not sooner than 30 days or later than 60 days from receipt of the request for appeal, and may deny the appeal, overturn the original decision, or remand the matter for a partial or complete review, citing specific matters to be considered. The disposition of the College Board is final and there shall be no further appeal of the matter.

Step Seven: Restriction

- a. No action relating to employment and/or enrollment can be taken for or against a person until a report of discrimination/harassment has been resolved, unless such action is deemed necessary to the well being of the people involved in the action or to the function of the college.

- b. Inasmuch as the review process represents an administrative inquiry into the facts and circumstances surrounding a report of discrimination/harassment, the use of legal counsel and/or representation is not permitted. However, nothing in these procedures will preclude an employee's or student's right to seek other avenues of redress outside of the college.

Step Eight: Documentation

A record of all complaints filed must be maintained and forwarded to the College's Affirmative Action Officer for reporting purposes in compliance with federal and state laws.

What is WITC Doing About Harassment?

Wisconsin Indianhead Technical College views harassment as an unacceptable and penalizing offense requiring discipline by the College. Complaints of harassment are investigated by the Affirmative Action Officer (Associate Vice President, Human Resources & Employee Relations). Punishment could involve reprimand or dismissal from the College.

Harassment violates Title VII of the Federal Civil Rights Law and Title IX of the Education Code.

The College has adopted a policy prohibiting harassment and has created a complaint resolution procedure free from all forms of harassment and intimidation. Complaints of harassment should be reported to the Affirmative Action Officer (Associate Vice President, Human Resources & Employee Relations) at the Shell Lake Administrative Office. Other counselors, advisor, or instructors may also provide assistance to you.

We Want To Help.

Other WITC Policies

Exposure Control Plan and Universal Precautions

In accordance with Wisconsin State Law under the Department of Industry, Labor and Human Relations (DILHR) and with the Occupational Safety Health Administration (OSHA) Bloodborne Pathogens Standard (codified as 29 CFR 1910.1030), WITC has adopted an Exposure Control Plan (ECP) for Blood and Other Potentially Infectious Material. The objectives are:

1. To reduce risk by minimizing or eliminating exposure to bloodborne pathogens such as the human immunodeficiency virus (HIV) or Hepatitis B Virus (HBV).
2. To provide guidelines for consistent management of persons potentially exposed to bloodborne pathogens.
3. To provide appropriate treatment and counseling in the event a person is exposed to bloodborne pathogens.

The major focus of the ECP is College adoption of Universal Precautions. Universal precautions is a method of infection control in which all human blood and certain human body fluids are treated as if known to be infectious for HIV (Human Immunodeficiency Virus), HBV (Hepatitis B Virus) or other bloodborne pathogens.

Anyone who may have been exposed to another person's blood and/or body fluids through accident/injury/illness while employed by or attending WITC must report the incident as soon as possible to a WITC staff member (preferably the college health nurse) so that the proper paperwork and follow-up procedures can be initiated.

Equal Opportunity/Affirmative Action Statement

Wisconsin Indianhead Technical College (WITC) does not illegally discriminate on the basis of race, color, creed, national origin, religion, sex, age, disability, sexual orientation, lack of English skills, arrest or conviction record, political affiliation, marital status, or other protected categories, in its services, employment programs, and/or its educational programs and activities, including but not limited to admissions, access and participation. The College attempts to be in compliance with all federal laws including but not limited to Title IX & Section 504. Inquiries regarding this non-discrimination policy should be directed to the Equal Opportunity/Affirmative Action Officer (Associate Vice President, Human Resources & Employee Relations) at 505 Pine Ridge Drive, Shell Lake WI 54871. Telephone Number: 1-800-243-9482 or 1-715-468-2815, Ext. 2225 or 2237. TTY#: 711. WITC provides reasonable accommodations to assist persons with disabilities to access or participate in its programs or activities.