

2023

SECTION E GENERAL INSTITUTION



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BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-150 – EMERGENCY CLOSINGS

Authority	President/District Director
Effective Date	February 20, 1974
Revision Date(s)	August 26, 2020; July 17, 2019; November 29, 2016; July 14, 2008; April 19, 2006; March 17, 2004; March 15, 2000; February 17, 1988
Reviewed Date(s)	December 15, 2010
Related Forms	
Related Policies and/or Procedures	
In Compliance With	

The President/District Director or designee can close the College in the event of hazardous weather or other emergencies which present threats to the safety of students, college employees or college property.

For inclement weather, the decision to close should be made prior to 5:45 a.m. for day classes and prior to 2:45 p.m. for evening classes. The Monroe Campus Administrator will notify the President/District Director or designee of any recommendation to close the Monroe Campus independent of other locations.

When an emergency closing is necessary, the College will issue a Safe Alert message (emergency notification system for college students, faculty, and staff) and post-closing or cancellation information to www.blackhawk.edu and www.facebook.com/blackhawktch. The College will also send notification to the local media in the event of the College closing but cannot be guaranteed coverage or listing.

- Since maintenance and custodial schedules will differ during inclement weather, these staff members should check with their immediate supervisor.
- In the event an employee has prescheduled leave days, and an emergency college closing occurs on those days, leave time will be charged to the employee.
- If college employees are working at locations off campus, the employee will follow the practice of employees at the off-campus location.

Since weather conditions vary throughout the District, individual decisions must be made regarding the hazards of travel when the College is in session.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-170 – BEHAVIOR INTERVENTION TEAM

Authority	Executive Director of Student Services/CSSO
Effective Date	April 23, 2019
Revision Date(s)	January 13, 2021
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	C-370 – Employee Code of Conduct E-222 – Prohibition of Sexual Harassment under Title IX J-850 – Student Code of Conduct
In Compliance With	

The College shall establish a Behavior Intervention Team (BIT) for the purpose of reviewing and addressing behavior-related concerns within the College community.

BIT is a cross-functional team of college staff and faculty who meet to collect and review all reported information related to concerning behaviors and potential violations of the Code of Conduct or Title IX. Intervention plans will be developed as appropriate.



**BLACKHAWK TECHNICAL COLLEGE
SECTION E – GENERAL INSTITUTION
POLICY**

E-200 – DISPLAYING OF MATERIALS IN OFFICES AND PUBLIC SPACES

Authority	Vice President of Finance and College Operations/CFO
Effective Date	April 18, 2005
Revision Date(s)	February 3, 2021; May 22, 2018
Reviewed Date(s)	January 11, 2010; July 23, 2007
Related Forms	
Related Policies and/or Procedures	
In Compliance With	National Fire Protection Association 1, Chapter 5.6 National Fire Protection Association 101, Life Safety Code

The College strives to maintain a professional appearance for all public spaces, instructional areas, and private offices at the College.

PERSONALIZATION OF SPACE

Employees are encouraged to make their workstations comfortable and to display photographs and personal items that are appropriate for the workplace and free of any reference that may be viewed as offensive or discriminatory. Work surfaces, however, should not become cluttered to hinder an employee from performing work duties.

Nothing is to be taped, tacked, or otherwise attached to walls or woodwork unless it is a pre-approved posting area. Do not tack or tape anything to the plastic or metal supports of fabric-covered office panels.

PRIVATE OFFICES

The College encourages the display of personal effects (i.e., art, photos, plants) in private offices. However, a neat, clean, and professional appearance of the office must be always maintained.

PUBLIC SPACES (Classrooms, Labs, Corridors, Conference Rooms, Etc.)

Public space is defined as any area in which the public or students are served. No personal effects are permitted in public areas. Selection of professionally framed artwork and photos that depict and enhance the educational process at the College will be coordinated through the Vice President of Finance and College Operations/CFO’s Office. Maintenance staff will be utilized for all installations to ensure compliance with American with Disabilities Act (ADA) guidelines and safety measures.

Tack strips or bulletin boards are to be utilized within classrooms for the display of student work/class projects.

Nothing is to be taped, tacked, or otherwise attached to walls or woodwork unless it is a pre-approved posting area.

E-200 – DISPLAYING OF MATERIALS IN OFFICES AND PUBLIC SPACES

DISPLAY CASES

The professionalism and cleanliness of display cases are the responsibility of the division or unit to which the cases are assigned. The responsible division or unit is accountable for the upkeep and changing of displays within a reasonable timeframe.

BULLETIN BOARDS

Bulletin boards are located at specified locations at each Campus or Center of the College. The purpose of bulletin boards is to provide an effective method of communication, best practice, safety, and various code compliance requirements. All bulletin boards will project a professional technical college image. All items placed on bulletin boards must be pre-approved through the Student Services Division.

FIRE CODE/SAFETY CODES FOR PUBLIC BUILDINGS

Any furnishings, contents, decorations, or treated finishes in buildings and structures must meet the requirements of the National Fire Protection Association's (NFPA) code, or any applicable state and local requirements. Any material that hangs from the ceiling, i.e., decorations or furnishings of any type, must meet the same fire protection level as the material to which it is attached (Example: A banner hung from the ceiling would need to be coated with a fire retardant or be made of a material that is equal in ceiling's protection level). In addition, materials cannot block the path of sprinklers installed within the building.

If there are any types of furnishings or decorations, i.e., banners, that staff wishes to hang, documentation supporting compliance with the materials contained in the furnishings must be provided to the Facilities Department to obtain approval to hang the item(s). Maintenance staff will be utilized for all installations to ensure compliance with ADA guidelines and safety measures.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-210 – PUBLIC RECORDS LAW (PUBLIC’S RIGHT TO KNOW)

Authority	District Board
Effective Date	December 15, 1982
Revision Date(s)	October 21, 2020; January 18, 2017; October 27, 2010; April 16, 2008; January 18, 2006; July 8, 2002
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-210.1 – Public Records Law (Public’s Right to Know) E-212 – Records Retention and Destruction J-300 – Privacy and Access to Student Records
In Compliance With	Wisconsin Statutes 19.31-19.39

The District Board is considered an authority for the purposes of the Wisconsin Public Records and Property Law (Sec. 19.31-19.39, Stats.).

It is the declared public policy of this State that all persons are entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them.

Providing persons with such information is declared to be an essential function of representative government and an integral part of the routine duties of officers and employees whose responsibility is to provide such information.

The District Board reaffirms the public policy that all the records of the District as defined in Section 19.32(2), Stats., are public records subject to release, inspection, and reproduction except as otherwise provided for by law.

The District Board designates the President/District Director as the legal custodian of the records of the District. The President/District Director may designate duties and responsibilities of this District pursuant to the Wisconsin Public Records Law to deputy legal custodians. The following deputies are authorized by the President/District Director to act as legal custodians:

- Vice President of Finance and College Operations/CFO (financial records)
- Executive Director of Student Services/CSSO (student records)
- Assistant to the President/District Director (all other public records)

It is directed that all employees of the District be informed of the legal custodian’s duties, the requirements of the Wisconsin Public Records and Property Law, and the provisions of this policy.

All requests for the inspection, release, and/or reproduction of the public records of the District shall be directed or referred to the legal custodian. The legal custodian is vested with the full legal power to make decisions concerning the inspection, release, or reproduction of records as

E-210 – PUBLIC RECORDS LAW (PUBLIC’S RIGHT TO KNOW)

permitted under Wisconsin’s Public Records and Property Law. The legal custodian and/or their deputies are authorized to consult with the District’s legal counsel in making a determination pertaining to a request for the release of a record.

Any costs or fees incurred by the District in the conduct and implementation of this Policy shall be indemnified by the District and will not be treated as a personal liability of the custodian unless penalties are incurred on account of the legal custodian or deputy's act or omission which is willful and in bad faith.

The President/District Director shall establish procedures for records management, including access by the public, that comply with the requirements of the state’s open meeting and public records access laws (Sec. 19.31-19.39, Stats.). **Procedure E-210.1 – Public Records Law (Public’s Right to Know)** shall serve as the Official Notice of the Procedure for the inspection, release, or reproduction of records and property of the District and constitutes the official position of the District Board regarding the inspection, release, and reproduction of records and property of this district, and the fees that may be charged for location and reproduction of such records and property. The Official Notice shall be prominently displayed in appropriate locations on the District premises and made available on request to any member of the public upon demand.

All college records, public or not, will be retained and disposed of in accordance with **Policy E-212 – Record Retention and Destruction** may be subject to a litigation hold on the disposal of such records.



**BLACKHAWK TECHNICAL COLLEGE
SECTION E – GENERAL INSTITUTION
PROCEDURE**

E-210.1 – PUBLIC RECORDS LAW (PUBLIC’S RIGHT TO KNOW)

Authority	President/District Director
Effective Date	December 15, 1982
Revision Date(s)	August 26, 2020; December 6, 2016; October 27, 2010; May 5, 2008; January 23, 2006; July 8, 2002
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-210 – Public Records Law (Public’s Right to Know)
In Compliance With	

The following information is provided to the public to assist them in obtaining access to, and copies of, records of the district under the Wisconsin open records law.

Copies of this Notice are available from the legal custodian of the records and on the College's website.

LEGAL CUSTODIAN

The District Board has designated the President/District Director as the official custodian of the records and property of the District. The District Board has further directed that each of the individuals holding the below-listed positions be designated deputy custodians to act as legal custodians and to respond to requests for records and property in such legal custodian’s absence:

- Vice President of Finance and College Operations/CFO (Financial Records)
- Executive Director of Student Services/CSSO (Student Records)
- Assistant to the President/District Director (all other Public Records)

OFFICE HOURS

Requests for records and information may be obtained by contacting the appropriate custodian between 8:00 a.m. and 4:00 p.m., Monday through Friday. The offices of the District are closed on Saturdays, Sundays, and holidays as specified by the District Calendar. Additional information can be obtained by contacting the College through its website at <http://www.blackhawk.edu>.

RELEASE, INSPECTION, AND REPRODUCTION OF PUBLIC RECORDS

Any person may request public records of the District. Any person requesting access to the records of the District need not identify themselves to obtain a record nor state any reasons for the request. Requests can be made orally or in writing and must contain contact information including a telephone number, address and/or e-mail address, or any other alternative arrangement for contact. To clarify the scope of the request, the legal custodian may request that oral requests be put into writing.

E-210.1 – PUBLIC RECORDS LAW (PUBLIC’S RIGHT TO KNOW)

Except as otherwise provided by law, any public record of the District shall be made available for inspection at the office of the legal custodian during normal, regular business hours upon request. No original public records of the District are to be removed from the possession of the legal custodian. The legal custodian shall be responsible for designating where, when, and how the public records of the District may be inspected and copied. However, the decisions of the official custodian of the records shall be governed by this Notice. Any request for a record must reasonably describe the record sought. If the legal custodian cannot reasonably determine what records or information are being requested, the request shall be denied.

Upon request for any record, the legal custodian shall, as soon as practicable and without delay, either fill the request or notify the requestor of the legal custodian’s determination to deny the request in whole or in part and the reasons therefor. The time it takes the legal custodian to respond to the request will depend on factors including the nature and extent of the request and the availability of staff and other resources necessary to process the request. If a written request is denied in whole or in part, the requestor shall receive from the custodian a written statement of the reasons for denying the written request. If a request is made orally, the custodian may deny the request orally unless a demand for a written statement of the reasons for denying the request is made by the requestor within five (5) business days of the oral denial. A request must be put into writing before an action to enforce the request can be commenced.

If it is determined that portions of a requested record should not be released, the legal custodian shall edit those records and remove the material not to be released and thereafter release the balance of the record.

Any request for computer-generated records of the District will not be provided until the requestor is informed of the estimated costs and agrees to pay for them.

Any person shall, subject to payment of fees authorized by this Notice, have the right to receive a reproduction of any records or information where the legal custodian has determined that inspection of records or information is to be granted. The official custodian of the records of the District, in their sole discretion, may elect to waive the imposition of all or part of the fees required by this Notice, when he or she determines it is in the public interest. The official custodian may require prepayment by the requestor of any fee or fees imposed under this Notice if the total amount of such fee or fees exceeds \$5.00.

FEES

Fees charged by the District for locating or reproducing records or information of the District are as follows:

- Fees for Locating Records
 - There shall be no fee imposed upon any person who requests a record if the costs of locating that record do not exceed \$50.00. Location fees will be calculated at a rate of \$25.00 per hour (lowest possible hourly rate) for a staff person to locate records plus a \$2.57 flat fee for an email archive search. A location fee covers searching for and identifying responsive records but does not include redaction.
- Reproduction Fees
 - Fees for copying and reproducing records where equipment and staff service is available on-site shall be charged to the requestor as follows:

E-210.1 – PUBLIC RECORDS LAW (PUBLIC’S RIGHT TO KNOW)

- \$0.15 per photocopied page provided.
- \$0.07 per page for content scanned and converted into electronic format.
- \$1.87 + cost of a physical medium for copying records already in digital format onto physical medium for distribution.
- \$1.87 for copying records from one digital format to another for distribution (e.g., email).
- Where duplication of an audio tape, videotape, photograph, microfilm, microfiche, or other medium is requested, the requestor shall be charged the actual costs paid by the District to the third-party vendor for such reproduction and materials used in reproduction.
- The requestor shall be charged for the actual, necessary, and direct cost of mailing or shipping.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-212 – RECORD RETENTION AND DESTRUCTION

Authority	District Board
Effective Date	November 18, 2020
Revision Date(s)	August 17, 2022
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-212.1 – Record Retention and Destruction
In Compliance With	Wisconsin Statutes (§19.31 – 19.39, §19.62, §19.85, §118.125) Admin. Rule 12 (Department of Administration – Chapter ADM12: Electronic Records Management – Standards and Requirements) Admin. Rule 12 Primer (Electronic Records Management – Guidance on ADM 12) State of Wisconsin Public Records Board Website: (https://publicrecordsboard.wi.gov/Pages/home.aspx)

This Policy ensures that the necessary records and documents of the College are adequately protected and retained for sufficient periods to meet administrative, audit, legal, and historical needs.

This Policy aids employees of the College in understanding their obligations in retaining and destroying both paper and electronic documents – including e-mail, Web files, text files, sound and movie files, PDF documents, and all Microsoft Office or other formatted files or paper documents.

Records retention is the systematic control of records, in whatever form they exist, throughout their life cycle. The lifecycle of the College's records (creation, use, storage, protection, and disposal) must be managed according to the College's Records Retention Schedule approved by the Wisconsin Public Records Board.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-212.1 – RECORD RETENTION AND DESTRUCTION

Authority	President/District Director
Effective Date	August 17, 2022
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	Wisconsin Statutes (§19.31 – 19.39, §19.62, §19.85, §118.125) Admin. Rule 12 (Department of Administration – Chapter ADM12: Electronic Records Management – Standards and Requirements) Admin. Rule 12 Primer (Electronic Records Management – Guidance on ADM 12) State of Wisconsin Public Records Board Website: (https://publicrecordsboard.wi.gov/Pages/home.aspx)

College employees shall review and destroy the College's records based on the College Records Retention Schedule. The review of all records under the control of a specific area is essential.

RECORD RETENTION AND PRESERVATION

The College will establish a Records Retention Schedule that will include, among other information, the following: document authority/owner, Retention Disposition Authorization (RDA) number, record series, legal citation, document location, length of time each public record must be kept, and preservation or disposition. In addition, the College will plan for the storage, retrieval, and disposition of its records.

Every ten (10) years, records retention schedules need to be submitted to the Public Records Board (PRB).

RECORDS COORDINATOR RESPONSIBILITIES

The College Records Coordinator is responsible for the records retention system, schedules, processes, and procedures. The Record's Coordinator oversees the retention and disposal of College records and is responsible for the following:

- Publishing a Records Retention Schedule that complies with local, state, and federal laws.
- Monitor local, state, and federal laws affecting record retention.
- In conjunction with Division/Department Record Coordinators, annually review and modify the Records Retention Schedule as necessary.
- Obtain approval of all modifications to the Records Retention Schedule from the Wisconsin Public Records Board and/or the Wisconsin State Historical Society, as required by state statute.

E-212.1 – RECORD RETENTION AND DESTRUCTION

- Develop a training manual for employees responsible for record storage and maintenance.
- Monitor all Divisions/Departments for compliance with the Records Retention Schedule.

DIVISION/DEPARTMENT RECORDS COORDINATORS' RESPONSIBILITIES

The Division/Department Records Coordinators are responsible for following the appropriate records retention process and schedules for their division/departments.

The Division/Department Record Coordinators oversee the retention and disposal of the College's records in their area and are responsible for the following:

- Ensure the policy and procedures published for Records Retention and Destruction are adhered to within the division/department.
- Provides records management assistance to other employees within the division/department.
- Meets with the College Records Coordinator annually to review and modify the Record Retention Schedule as necessary.
- Advises the College Records Coordinator whenever it is necessary to hold records beyond the scheduled disposal date.
- Ensures that all records under the Division/Department Records Coordinators jurisdiction are screened at least once a year for duplicate and useless copies and ensures disposal of those office records whose retention period has been met.
- Reviews records periodically to ensure they are appropriately protected, and all vital records are classified.
- Before destruction, Division/Department Records Coordinators shall determine if the records seeking destruction have been suspended (see Suspension of Records Destruction below). If the records are waived from archival review, and no legal hold exists, the record series is eligible for destruction.

PERSONALLY IDENTIFIABLE INFORMATION (PII)

Some records in the Records Retention Schedule contain personally identifiable information as defined by Wisconsin law. Wis. Stats. § 19.62(5). The law often restricts public access to and security of personally identifiable information. Therefore, agencies should be aware of the requirements in Wisconsin Statutes, Chapter 19, and all applicable program-specific laws or regulations. Such records should also be destroyed as confidential. If you doubt whether a document contains personally identifiable information, it is a good idea to check with the College Records Coordinator, who will confirm with legal counsel.

DESTRUCTION OF RECORDS

Before disposing of any public record, the Division/Department Record Coordinators must review the Records Retention Schedule to determine/confirm the record's preservation and/or disposition and whether the Wisconsin State Historical Society needs to be notified.

- Shred confidential paper copy records. If shredding cannot be accomplished internally, an authorized service provider may be used for shredding.
- Recycle non-confidential paper copy records.
- Delete or erase electronic records.
- Document destruction will be suspended immediately upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon the conclusion of the investigation.

E-212.1 – RECORD RETENTION AND DESTRUCTION

RECORDS REVIEW DUE TO EMPLOYMENT STATUS

1. Employees shall return all business records at their homes, other campuses, or off-campus locations to the division/department of record.
2. Before transfer, retirement, voluntary departure, or other termination, an employee shall meet with the individual's supervisor to review all records in all formats and media, including email and department-assigned computer drives.
3. The supervisor shall reassign the records to another employee, transfer the records to inactive storage, or destroy the records based on procedures and records retention schedules.
4. If the employee requires assistance reviewing records, the employee and/or supervisor shall contact the College Records Coordinator.

ELECTRONIC DOCUMENTS AND RECORDS

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document types (emails, database files, PowerPoint presentations, audio and video, web-based documents, social media) will be maintained for the appropriate amount of time. For example, if an employee has sufficient reason to keep an email message, the message should be printed in hard copy and kept in the appropriate file or moved to an "archive" computer file folder.

SUSPENSION OF RECORDS DESTRUCTION

The authorized destruction of certain records, regardless of media or characteristics, may be suspended when the College Records Coordinator is deemed relevant to pending, threatened, or imminent litigation or government investigations or for other legally permissible reasons when the suspension is warranted.

College employees shall not destroy, dispose of, conceal, or alter any record or document while knowing that it is or may be relevant to an anticipated or ongoing investigation or legal proceeding conducted by or before a federal, state, or local government agency. The suspension also includes an ongoing internal investigation, audit, or review conducted by the College.

During an anticipated or ongoing investigation or legal proceeding as set forth above, the College Records Coordinator shall suspend any further disposal of documents until the College Records Coordinator, with the advice of counsel, determines otherwise. The College Records Coordinator shall take such steps as necessary to promptly inform all employees of any suspension in the further disposal of documents.

There are other possible limited situations, beyond potential litigation or government investigation, in which it may be appropriate to suspend the destruction of certain records or documents. If an employee believes suspension may be suitable for specific reasons, the employee shall notify the College Records Coordinator. Legal counsel shall review the situation, and if it deems the suspension of certain records or documents to be appropriate, the procedure outlined above will be followed.

E-212.1 – RECORD RETENTION AND DESTRUCTION

DEFINITIONS

Record – "Any material on which written, drawn, printed, spoken, visual or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority." — Wis. Stat. § 19.32(2).

Records Retention Schedule – A Records Retention Schedule is a tool that guarantees that records are kept as long as legally and operationally required. Further, those obsolete records are disposed of in a systematic and controlled manner. Series of records are listed on the Schedule along with the approved retention period for each record group. The Records Retention Schedule is intended to ensure that employees adhere to approved record-keeping requirements and do so consistently.

Retention Period – The retention period is the duration each type of record must be retained. Records that have fulfilled their official retention period must be reviewed for destruction. A retention period may be stated in terms of months or years or expressed as contingent upon an event such as the termination of a contract or the conclusion of a project.

For most records, the retention period begins when the record is created. The retention period is added to the creation date to produce a date through which the record must be maintained. Some records begin their retention with a particular event to which the retention period is added.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-219 – NONDISCRIMINATION

Authority	President/District Director
Effective Date	September 15, 2021
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-220 – Equal Opportunity E-221 – Prohibition of Harassment
In Compliance With	Title VI of the Civil Rights Act of 1964 Title VII of the Civil Rights Act of 1964 Title IX of the Education Amendments Act of 1972 The Age Discrimination in Employment Act of 1967 Age Discrimination Act of 1975 Americans with Disabilities Act of 1990 ADA Amendments Act of 2008 Section 504 of the Rehabilitation Act of 1975 Title II of the Genetic Information Nondiscrimination Act of 2008 Pregnancy Discrimination Act of 1978 Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs Wisconsin Fair Employment Act

The College is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities. The College, and each individual who represents the College, shall provide access to its services, classes, and programs without regard to an individual’s legally protected status.

Legally protected status is defined as sex or gender, national origin, religion, age, gender identity, gender expression, race, color, genetic information, sexual orientation, disability, military and veteran status, pregnancy, and any other protected class established by applicable state, federal, or local law. The President/District Director shall establish college procedures and processes that ensure all members of the College community can present complaints regarding alleged violations of this Policy and have their complaints heard in accordance with state and federal laws regarding nondiscrimination.

No college funds shall be used for membership, or any participation involving financial payment or contribution on behalf of the College or any individual employed by or associated with it, to any organization whose membership practices are discriminatory on the basis of sex or gender, national origin, religion, age, gender identity, gender expression, race, color, genetic information, sexual orientation, disability, military and veteran status, pregnancy and any other protected class established by applicable state, federal, or local law.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-219.1 – NONDISCRIMINATION

Authority	Executive Director of Human Resources/CHRO
Effective Date	September 1, 2021
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-221.2 – Discrimination and Harassment Reporting
In Compliance With	Title VI of the Civil Rights Act of 1964 Title VII of the Civil Rights Act of 1964 Title IX of the Education Amendments Act of 1972 The Age Discrimination in Employment Act of 1967 Age Discrimination Act of 1975 Americans with Disabilities Act of 1990 ADA Amendments Act of 2008 Section 504 of the Rehabilitation Act of 1975 Title II of the Genetic Information Nondiscrimination Act of 2008 Pregnancy Discrimination Act of 1978 Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs Wisconsin Fair Employment Act

EDUCATION PROGRAMS

The College shall provide access to its services, classes (credit and noncredit), and programs without regard to sex or gender, national origin, religion, age, gender identity, gender expression, race, color, genetic information, sexual orientation, disability, military and veteran status, pregnancy and any other protected class established by applicable state, federal, or local law.

Insofar as practicable, the College shall offer opportunities for participation in athletics equally to male and female students.

EMPLOYMENT

The College shall provide equal employment opportunities to all applicants and employees regardless of sex or gender, national origin, religion, age, gender identity, gender expression, race, color, genetic information, sexual orientation, disability, military and veteran status, pregnancy, and any other protected class established by applicable state, federal, or local law.

All employment decisions, including but not limited to hiring, assignment, transfer, promotion, evaluation, dismissal, and compensation for all position classifications shall be based on job-related criteria as well as be responsive to the College's needs.

The College shall provide professional and staff development activities and training to promote cultural awareness and understanding of diversity and inclusion.

E-219.1 – NONDISCRIMINATION

Employees discriminating against other employees, students, or non-employees will be subject to corrective action under appropriate college employment procedures. Students discriminating against other students, employees, or non-employees will be subject to discipline under the applicable student code of conduct. The College will take necessary corrective action to remedy instances where discrimination is determined to have occurred. Reports of alleged acts of discrimination should be made in accordance with **Procedure E-221.2 – Discrimination and Harassment Reporting**.



BLACKHAWK TECHNICAL COLLEGE

SECTION E – GENERAL INSTITUTION

POLICY

E-220 – EQUAL OPPORTUNITY

Authority	President/District Director
Effective Date	September 15, 1982
Revision Date(s)	September 15, 2021; February 15, 2017; February 18, 2009; September 15, 2004; November 14, 2001; March 8, 1995; March 20, 1991
Reviewed Date(s)	October 18, 2006
Related Forms	
Related Policies and/or Procedures	E-219 – Nondiscrimination
In Compliance With	Title VI of the Civil Rights Act of 1964 Title VII of the Civil Rights Act of 1964 Title IX of the Education Amendments Act of 1972 The Age Discrimination in Employment Act of 1967 Age Discrimination Act of 1975 Americans with Disabilities Act of 1990 ADA Amendments Act of 2008 Section 504 of the Rehabilitation Act of 1975 Title II of the Genetic Information Nondiscrimination Act of 2008 Pregnancy Discrimination Act of 1978 Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs Wisconsin Fair Employment Act

The College desires to build a community in which opportunity is equalized and a climate of acceptance is fostered, with the inclusion of students and employees from a wide variety of backgrounds. The College recognizes that diversity in the academic environment fosters cultural awareness, mutual understanding, and respect, and provides suitable role models for all students.

Equal opportunity will be provided in accordance with federal, state, and local non-discrimination laws and executive orders. An Equal Opportunity/Affirmative Action Plan for equal opportunity in employment and education will be monitored by the District’s Equal Opportunity Officer appointed by the President/District Director. All administrators, supervisors, and employees are responsible for the implementation of the Equal Opportunity/Affirmative Action Plan and adherence to all nondiscrimination and equal opportunity policies and procedures.

The College will seek assurance from all contractors and suppliers of products and services that they do not discriminate. The purchase of products and services from women, minorities, and disabled business owners will be encouraged.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-221 – PROHIBITION OF HARASSMENT

Authority	President/District Director
Effective Date	September 15, 2021
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-219 – Nondiscrimination E-222 – Prohibition of Sexual Harassment Under Title IX
In Compliance With	Title VII of the Civil Rights Act of 1964 The Age Discrimination in Employment Act of 1967 Americans with Disabilities Act of 1990 Wisconsin Fair Employment Act

All forms of harassment are contrary to basic standards of conduct between individuals. State and federal law, and this policy, prohibit harassment and the College will not tolerate harassment.

The College is committed to providing an academic and work environment that is free from harassment. Harassment is unlawful if it is based on any of the following statuses: sex or gender, national origin, religion, age (40 or older), gender identity, gender expression, race, color, genetic information, sexual orientation, disability, military and veteran status, pregnancy and any other protected class established by applicable state, federal, or local law. For the College's policy regarding sexual harassment under Title IX, see [Policy E-222 – Prohibition of Sexual Harassment under Title IX](#) and related procedures.

The College seeks to foster an environment in which employees, students, and other members of the campus community feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the College also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, employee, or other member of the campus community who believes that they have been harassed or retaliated against in violation of this Policy should immediately report such incidents by following the procedures described in [Procedure E-221.2 – Discrimination and Harassment Reporting](#). The College requires employees to report all incidents of harassment and retaliation that come to their attention.

This Policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any college activity. In addition, this Policy applies to all terms and conditions of employment, including but not limited to hiring,

E-221 – PROHIBITION OF HARASSMENT

assignment, transfer, promotion, evaluation, dismissal, and compensation.

The President/District Director shall ensure that the institution undertakes education and training activities to counter harassment and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunities or impacts the terms and conditions of employment.

The College shall establish procedures that define harassment on campus. The College shall further establish procedures for employees and students, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination. State and federal law and this Policy prohibit retaliatory acts by the College, its employees, students, and agents.

The College will publish and publicize this Policy and related procedures (including the procedure for harassment and discrimination reporting) to students and employees, particularly when they are new to the institution. The College will make this Policy and related procedures (including the procedure for harassment and discrimination reporting) available to students and employees and will post them on the College's website.

Employees who violate this Policy and related procedures may be subject to disciplinary action up to and including termination. Students who violate this Policy and related procedures may be subject to disciplinary measures up to and including expulsion.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-221.1 – PROHIBITION OF HARASSMENT

Authority	Executive Director of Human Resources/CHRO
Effective Date	September 1, 2021
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-222 – Prohibition of Sexual Harassment Under Title IX C-470 – Consensual Relationships
In Compliance With	Title VII of the Civil Rights Act of 1964 The Age Discrimination in Employment Act of 1967 Americans with Disabilities Act of 1990 Wisconsin Fair Employment Act

The College is committed to providing an academic and work environment free of unlawful harassment. This Procedure defines sexual harassment and other forms of harassment on campus. **Procedure E-221.2 – Discrimination and Harassment Reporting** sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the College.

This Procedure and the related policies protect students, employees, and non-employees in connection with the academic, educational, extracurricular, athletic, and other programs of the College, whether those programs take place in the College’s facilities, a college vehicle, or at a class or training program sponsored by the College at another location.

For sexual harassment under Title IX, refer to **Policy E-222 – Prohibition of Sexual Harassment under Title IX** and related procedures. For other forms of sexual harassment or gender-based harassment, refer to this Procedure.

DEFINITIONS

General Harassment – Harassment is unwelcome conduct that is based on sex or gender, national origin, religion, age (40 or older), gender identity, gender expression, race, color, genetic information, sexual orientation, disability, military and veteran status, pregnancy and any other protected class established by applicable state, federal, or local law. Harassment becomes unlawful where enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Harassment shall be found where, in aggregate, the incidents are sufficiently pervasive, persistent, or severe that a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with their ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.

E-221.1 – PROHIBITION OF HARASSMENT

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment.

Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

Verbal – Inappropriate or offensive remarks, slurs, jokes, or innuendoes based on a person's gender, race, national origin, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats, or intimidation; or sexist, patronizing, or ridiculing statements that convey derogatory attitudes based on gender, race, nationality sexual orientation or other protected status.

Physical – Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against, or blocking another person, whistling, or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation, or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

Visual or Written – The display or circulation of visual or written material that degrades an individual or group based on gender, race, national origin, sexual orientation, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

Environmental – A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, national origin, sexual orientation, or other protected status; or gratuitous comments regarding gender, race, national origin, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders, or other protected statuses. An environment may also be hostile toward anyone who witnesses unlawful harassment in their immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

E-221.1 – PROHIBITION OF HARASSMENT

Sexual Harassment – In addition to the above, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature constitute sexual harassment when this conduct:

- Explicitly or implicitly affects an individual's employment or education.
- Unreasonably interferes with an individual's work or academic performance.
- Creates an intimidating, hostile, or offensive work or educational environment.

This definition encompasses two (2) kinds of sexual harassment:

"Quid Pro Quo" – Sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.

"Hostile Environment" – Sexual harassment occurs when unwelcome conduct based on a person's gender is sufficiently severe or pervasive so as to alter the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it is severe, i.e., a sexual assault.

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

CONSENSUAL RELATIONSHIPS

A consensual romantic or sexual relationship between an employee and a subordinate student or subordinate employee may be exploitative in nature, leading to a conflict of interest for the person who is in the position of power, and can affect the environment for other students and employees, or the way they are treated. College employees are strongly discouraged from developing relationships of a romantic or sexual nature with a student or an employee.



**BLACKHAWK TECHNICAL COLLEGE
SECTION E – GENERAL INSTITUTION
PROCEDURE**

E-221.2 – DISCRIMINATION AND HARASSMENT REPORTING

Authority	Executive Director of Human Resources/CHRO
Effective Date	May 21, 1991
Revision Date(s)	September 1, 2021; February 28, 2017; September 15, 2004
Reviewed Date(s)	May 17, 2002
Related Forms	
Related Policies and/or Procedures	E-222 – Prohibition of Sexual Harassment Under Title IX
In Compliance With	Title VII of the Civil Rights Act of 1964 The Age Discrimination in Employment Act of 1967 Americans with Disabilities Act of 1990 Wisconsin Fair Employment Act

The College is committed to providing an academic and work environment that is free from discrimination and harassment. The College will not tolerate unlawful discrimination, harassment, or retaliation against a person who files a report or participates in the investigation of a report relating to discrimination or harassment by an employee, student, customer, or vendor.

Employees discriminating against other employees, students, or non-employees will be subject to corrective action under appropriate college employment procedures. Students discriminating against other students, employees, or non-employees will be subject to discipline under the applicable student code of conduct. The College will take necessary corrective action to remedy instances where discrimination or harassment is determined to have occurred. All employees are mandatory reporters of harassment and discrimination and are obligated to report harassment to appropriate college officials.

For sexual harassment under Title IX, reports should be made in accordance with **Procedure E-222.2 – Responding to Harassment Based on Sex Under Title IX**.

Use of this Procedure does not preclude the right of a person to also file a complaint with the Equal Rights Division of the Department of Workforce Development, the Department of Education’s Office for Civil Rights, the U.S. Equal Employment Opportunity Commission, or the U.S. Wage and Hour Division in the Department of Labor or any other administrative or law enforcement agency with jurisdiction over the complaint. Most non-discrimination laws have a time limit of 180 to 300 days for filing a complaint.

REPORTING PROCEDURE

Step 1: File a Report. If a person believes they were subject to an act of discrimination or harassment as defined in this Procedure, they may report the discrimination or harassment to the College’s Equal Opportunity Officer within 300 days of the date of the alleged discrimination

E-221.2 – DISCRIMINATION AND HARASSMENT REPORTING

or harassment. The report may be oral or written; however, the College encourages written reports. Reports may be submitted online at <https://www.blackhawk.edu>.

Step 2: Notification of Rights. Upon receiving the report, the Equal Opportunity Officer will inform the reporting party of their rights under state and federal law. This will include outlining external resources that are available through the Wisconsin Department of Workforce Development and the Equal Employment Opportunity Commission, if applicable.

Step 3: Determination of Validity. The Equal Opportunity Officer will review the report to determine if it is valid under this Procedure. Validity does not concern whether an unfair act has occurred but whether the report pertains to conduct that is governed by this Procedure. If the report is determined not to be valid under this Procedure, the matter will be closed, and the Equal Opportunity Officer will refer those involved to any appropriate college resources. If the report is determined to be valid under this Procedure, the Equal Opportunity Officer will investigate the merits of the report.

Step 4: Investigation. The Equal Opportunity Officer will conduct a prompt, fair, and impartial investigation of the report that will include, but will not necessarily be limited to, interviews with the reporting party, responding party, and appropriate witnesses; fact and information gathering; and review of documentary evidence. The Equal Opportunity Officer will attempt to complete their investigation within 30 calendar days from receipt of the report. However, the investigation period may be extended if the Equal Opportunity Officer determines an extension is necessary to complete a proper investigation. The Equal Opportunity Officer will inform the parties of any extension.

Step 5: Determination of Responsibility. Within ten (10) days of completion of the investigation, the Equal Opportunity Officer will issue a written determination to both parties regarding whether an act of discrimination or harassment has occurred. This deadline may be extended by the Equal Opportunity Officer if they determine that an extension is necessary to prepare the written determination. The Equal Opportunity Officer will make their determination using the preponderance of evidence standard, which means that the Equal Opportunity Officer will base their decision on whether they find it is more likely than not that an act of discrimination or harassment occurred. If the Equal Opportunity Officer finds it is more likely than not that an act of discrimination or harassment occurred, their written determination will also impose appropriate corrective action, up to and including termination of employment or expulsion, as applicable.

Step 6: Appeals. There are two (2) options for a party who wishes to appeal the determination of the Equal Opportunity Officer: investigation appeals and corrective action appeals.

- 1. Investigation Appeals.** Either the reporting party or the responding party may request an investigation appeal of the investigator's decision by submitting a written request for an investigation appeal to the Equal Opportunity Officer within five (5) business days of receiving the Equal Opportunity Officer's decision. An investigation appeal may be filed on either of the following grounds: (1) that the appealing party believes the Equal Opportunity Officer failed to comply with this Procedure and that the failure materially affected the outcome of the investigation, or (2) that there is new evidence, unknown or

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unavailable during the original investigation, that materially affects the Equal Opportunity Officer's original determination. All investigation appeals will be reviewed by the President/District Director or designee. Decisions on investigation appeals will be issued within ten (10) business days of receipt of the appeal request. However, this deadline may be extended if it is determined that an extension is necessary to make a proper decision on the appeal.

- 2. Corrective Action Appeals.** Either the reporting party or the responding party may request a corrective action appeal by submitting a written request for a corrective action appeal to the Equal Opportunity Officer within five (5) business days of receiving the Equal Opportunity Officer's decision. A corrective action appeal may be used when the requesting party does not contest the Equal Opportunity Officer's determination of whether an act of discrimination or harassment occurred but does wish to appeal the specific sanction imposed. Corrective action appeals will be reviewed by the Executive Director of Student Services, CSSO, if the requesting party is a student or the President/District Designee if the requesting party is an employee. Decisions on investigation appeals will be issued within ten (10) business days of receipt of the appeal request. However, this deadline may be extended if it is determined that an extension is necessary to make a proper decision on the appeal. The sanction being appealed will remain in effect during the appeal.

REPORTING PARTY RIGHTS

Reporting parties of discrimination or harassment have the right to:

- Be notified of existing resources for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available within the College and in the community.
- Be notified about options for, available assistance in, and how to request changes to academic, transportation, and working situations or protective measures regardless of whether the reporting party chooses to report to local law enforcement.
- Report to law enforcement authorities and be assisted by the College in doing so.
- Decline to report to law enforcement.
- File a complaint with the U.S. Department of Justice and/or U.S. Department of Education Office for Civil Rights.
- Exercise rights as detailed in Chapter 950 of the Wisconsin Statutes when reporting to a Wisconsin law enforcement agency.
- Apply for crime victim compensation, which can help pay for unreimbursed expenses that are the result of crimes causing personal injury or death, including lost wages, counseling, medical costs, and replacement of property held as evidence.

REPORTING PARTY AND RESPONDING PARTY RIGHTS

The College shall provide assistance to the reporting and responding parties, including access to copies of nondiscrimination laws and regulations, related guidelines, and other relevant material supplied to the College by the federal government. In addition, the Equal Opportunity Officer shall provide consultation in the use of this reporting procedure.

Neither the reporting party nor the responding party shall arbitrarily delay the action of the reporting procedure.

NON-RETALIATION

Retaliating directly or indirectly against a person who has in good faith submitted a report,

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made a report, or participated in an investigation is strictly prohibited. Retaliation includes, but is not limited to, pressuring the person to drop or not support their report or to provide false or misleading information; engaging in conduct that may reasonably be perceived to adversely affect that person's educational, living, or work environment; threatening, intimidating, or coercing the person; or otherwise discriminating against any person for exercising any rights or responsibilities under this Procedure. Retaliation may exist regardless of whether the report is ultimately found to have merit. Any retaliation will be treated as a violation of this Procedure.

ADMINISTRATION OF PROCEDURE

Records shall be kept of each report in the office of the Equal Opportunity Officer. Such records shall be maintained in a confidential manner and for a minimum of three (3) years after the resolution of the complaint.

It is the primary responsibility of the Equal Opportunity Officer to ensure the effective implementation, processing, recordkeeping, and notification required by this Procedure. The President has appointed the Executive Director of Human Resources/CHRO, as the Equal Opportunity Officer.

If the Equal Opportunity Officer is named in the report or implicated by the allegations in the report, the report should be filed with the College's Title IX Coordinator. The investigation will be conducted by the Title IX Coordinator or assigned to another staff member or external person under contract with the College.

DEFINITIONS

Discrimination – A difference in treatment in any service, program, course, or facility provided by the College that is based on a person's legally protected status.

Equal Opportunity Officer – Employee designated by the College's President who has the responsibility for coordinating this Procedure. The Executive Director of Human Resources/CHRO is the College's Equal Opportunity Officer.

Harassment – Unwelcome conduct based on a person's legally protected status where (1) enduring the conduct becomes a condition of continued employment/enrollment, or (2) the conduct is sufficiently severe or pervasive to create a work/learning environment that a reasonable person would consider intimidating, hostile, or abusive. The conduct may include, but is not limited to, offensive jokes, bullying, slurs, epithets, or name-calling; physical assaults or threats; intimidation, ridicule, or mockery; insults or put-downs; offensive objects or pictures; and interference with performance. The term harassment, as used in this Procedure, shall at all times be interpreted consistent with applicable law. Sexual misconduct is another form of harassment that is prohibited by this Procedure. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex- or gender-based stalking, sexual harassment, rape, acquaintance rape, sexual assault, dating violence, and domestic violence.

Protected Status – Legally protected statuses include sex or gender, national origin, religion, age, gender identity, gender expression, race, color, genetic information, sexual orientation, disability, military and veteran status, pregnancy, and any other protected class established by applicable state, federal, or local law.

E-221.2 – DISCRIMINATION AND HARASSMENT REPORTING

Report – A complaint alleging the occurrence of an act of discrimination or harassment as defined under this Procedure.

Reporting Party – A person who files a report. A reporting party can be but is not necessarily limited to, an applicant for employment with the College, a college employee, an applicant for admission to a program or course at the College, or a college student.

Responding Party – The person who the reporting party has alleged to have violated this Procedure.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-222 – PROHIBITION OF SEXUAL HARASSMENT UNDER TITLE IX

Authority	President/District Director
Effective Date	August 19, 2020
Revision Date(s)	December 16, 2020
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-221 – Prohibition of Harassment
In Compliance With	Title IX of the Education Amendments Act of 1972 34 Code of Federal Regulations Part 106

All forms of sexual harassment are contrary to basic standards of conduct between individuals. State and federal law and this Policy prohibit sexual harassment and the College will not tolerate sexual harassment. The College is committed to providing an academic and work environment that respects the dignity of individuals and groups. The College shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence.

The College seeks to foster an environment in which all employees, students, applicants for employment, and applicants for admission feel free to report incidents of sexual harassment in violation of this Policy and Title IX, without fear of retaliation or reprisal. Therefore, the College also strictly prohibits retaliation against any individual for filing a complaint of sexual harassment in violation of this Policy and Title IX or for participating or refusing to participate, in a sexual harassment investigation. The College will investigate all allegations of Title IX retaliation swiftly and thoroughly. If the College determines that someone has retaliated, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in Title IX retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any employee, student, applicant for employment, or applicant for admission who believes that they have been harassed or retaliated against in violation of this Policy should immediately report such incidents by following the College procedure for reporting this type of harassment and/or retaliation. The College requires supervisors to report all incidents of harassment and retaliation that come to their attention.

This Policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any college-sponsored activity. In addition, this Policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

E-222 – PROHIBITION OF SEXUAL HARASSMENT UNDER TITLE IX

To this end, the President/District Director shall ensure that the institution undertakes education and training activities to counter sexual harassment and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunities or impacts the terms and conditions of employment.

The President/District Director shall establish procedures that define sexual harassment on campus. The President/District Director shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment in violation of this Policy, and procedures to resolve complaints of sexual harassment in violation of this Policy. State and federal law and this Policy prohibit retaliatory acts against all participants by the College, its employees, students, and agents.

The College will publish and publicize this Policy and related written procedures (including the procedure for making complaints) to administrators, faculty, staff, students, applicants for employment, and applicants for admission, particularly when they are new to the institution. The College will make this Policy and related written procedures (including the procedures for making complaints) available in all administrative offices and will post them on the College's website.

Employees who violate this Policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this Policy and related procedures may be subject to disciplinary measures up to and including expulsion.



**BLACKHAWK TECHNICAL COLLEGE
SECTION E – GENERAL INSTITUTION
PROCEDURE**

**E-222.1 – PROHIBITION OF SEXUAL HARASSMENT UNDER
TITLE IX-DEFINING SEXUAL HARASSMENT**

Authority	Executive Director of Human Resources/CHRO
Effective Date	December 16, 2020
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	Title IX Education Amendments of 1972 Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

The College is committed to providing an academic and work environment free of unlawful sexual harassment under Title IX. This Procedure defines sexual harassment on campus. This Procedure and the related policy protect students, and employees, in connection with all the academic, educational, extracurricular, athletic, and other programs of the College, whether those programs take place in the College’s facilities, a college vehicle, bus, van, or other form of transportation, or at a class or training program sponsored by the College at another location.

DEFINITIONS

Sexual Harassment under Title IX

Conduct that satisfies one or more of the following:

- A college employee conditions the provision of aid, benefit, or service of the College on an individual’s participation in unwelcome sexual conduct (quid pro quo harassment).
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s education program or activity.
- Sexual assault, including the following:
 - **Sex Offenses** – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape (except Statutory Rape)** – The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - **Sodomy** – Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

E-222.1 – PROHIBITION OF SEXUAL HARASSMENT UNDER TITLE IX- DEFINING SEXUAL HARASSMENT

- **Sexual Assault with an Object** – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, or stick.
- **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 their age or because of their temporary or permanent mental or physical incapacity.
- **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
 - **Incest** – Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape-Non-Forcible** – Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating Violence** – Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will 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.
- **Domestic Violence** – Violence committed:
 - By a current or former spouse or intimate partner of the victim.
 - By a person with whom the victim shares a child in common.
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of Wisconsin.
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of Wisconsin.
- **Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.



**BLACKHAWK TECHNICAL COLLEGE
SECTION E – GENERAL INSTITUTION
PROCEDURE**

E-222.2 – RESPONDING TO HARASSMENT BASED ON SEX UNDER TITLE IX

Authority	Executive Director of Human Resources/CHRO
Effective Date	December 16, 2020
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	C-370 – Employee Code of Ethics C-470 – Consensual Relationships
In Compliance With	20 U.S. Code Sections 1681 et seq. 34 Code of Federal Regulations Parts 106.1 et seq.

INTRODUCTION

The College encourages members of the College community to report sexual harassment. This Procedure only applies to conduct defined sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. The College will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using State law and applicable college policies and procedures. In implementing these procedures discussed below, the College will also provide supportive measures, training, and resources In Compliance With WI State law, unless they are preempted by Title IX regulations.

TITLE IX COORDINATOR

Questions concerning Title IX may be referred to the College’s Title IX Coordinator whose contact information is below.

Blackhawk Technical College Title IX Coordinator’s contact information is:
Access and Accommodations Coordinator
CCM Room 2209
608-757-7796
disabilityinfo@blackhawk.edu

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with State and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. However, the Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant's consent or cooperation.

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TITLE IX HARASSMENT COMPLAINTS, INVESTIGATIONS, AND HEARINGS

These Title IX sexual harassment procedures and the related policy protects students, employees, applicants for employment, and applicants for admission.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States.
- The conduct took place in a College “education program or activity.” This includes locations, events, or circumstances over which the College exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the College owns or controls or student organizations officially recognized by the College own or control.
- The conduct meets the definition of Title IX “sexual harassment.”

DEFINITIONS

Advisor – Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the College must provide the Party an Advisor of its choice, free of charge. The College may establish restrictions regarding the extent to which the Advisor may participate in the proceedings if the restrictions apply equally to both Parties.

Complainant – A Complainant is an individual who alleges they are the victim of conduct that could constitute sexual harassment.

Consent – 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 this Procedure. A person is unable to give consent if the person is incapacitated because of drugs, alcohol, physical or intellectual disability, or unconsciousness.

Decision-Maker – The person or group of people who will oversee the live hearing and make a determination of responsibility. The Decision-Maker cannot be the Title IX Coordinator or the investigator.

Formal Complaint – A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment, and requesting an investigation. If the Title IX Coordinator signs the formal complaint, they will not become a Party to the complaint.

Parties – As used in this Procedure, this means the Complainant and Respondent.

Respondent – A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX

Conduct that satisfies one or more of the following:

- A college employee conditions the provision of aid, benefit, or service of the College on an individual’s participation in unwelcome sexual conduct (quid pro quo harassment).

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- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity.
- Sexual assault, including the following:
 - **Sex Offenses** – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape (except Statutory Rape)** – The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - **Sodomy** – Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
 - **Sexual Assault with an Object** – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, or stick.
 - **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 their age or because of their temporary or permanent mental or physical incapacity.
 - **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
 - **Incest** – Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape-Non-Forcible** – Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
 - **Dating Violence** – Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will 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.
 - **Domestic Violence.** Violence committed:
 - By a current or former spouse or intimate partner of the victim.
 - By a person with whom the victim shares a child in common.
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of WI.
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of WI.

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- **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.

REPORTING OPTIONS

Any individual may report sexual harassment to the College's Title IX Coordinator.

The College strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit the College's ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the College to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the College will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal processes or proceedings.

The College will document reports of sexual harassment in Compliance With the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the College does not document personal information; the College reports the type of conduct, and the time, date, and location.

BLACKHAWK TECHNICAL COLLEGE EMPLOYEES AND OFFICIALS WITH AUTHORITY

College Officials with Authority are not confidential resources and are required to report allegations of sexual harassment to the Title IX Coordinator promptly. All other employees are encouraged to report allegations to the Title IX Coordinator but are not required to do so.

The College has designated that all college Full and Part Time employees are designated as Officials with Authority:

- Officials with Authority are required to report all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time, and location of the alleged incident.

INTAKE AND PROCESSING OF REPORT

Receipt of Report

After receiving a report of sexual harassment, the Title IX Officer will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to a meeting. The Title IX Officer will discuss supportive measures with the Parties.

Timeframe for Reporting

To promote timely and effective review, the College strongly encourages individuals to report

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sexual harassment as soon as possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the College can offer.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The College will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the College's education program or activities. These measures are designed to protect the safety of all Parties, protect the College's educational environment, and deter sexual harassment. The College will provide supportive measures on a confidential basis as much as possible and will only make disclosures to those with a need to know to enable the College to provide the service. Supportive measures may include counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures.

Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and the campus community. The College has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency Removal

The College may remove a non-employee Respondent from the College's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The College may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The College's Title IX Coordinator or designee will conduct the individualized safety and risk analysis.

If the Title IX Coordinator determines emergency removal is appropriate, they or the designee will provide the person the College is removing from campus on an emergency basis with notice and opportunity to attend a meeting and challenge the basis of their removal. The Title IX Coordinator or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative Leave

The College may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The

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College will follow any relevant policies, procedures, collective bargaining agreements, or State law in placing an employee on administrative leave.

FORMAL COMPLAINT GRIEVANCE PROCESS

Notice to Parties

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing, to the Parties:

- Notice of the College's Title IX grievance process.
- Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- Notice that the Parties may have an Advisor of their choice, who may be, but is not required to be, an attorney.
- Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source.
- Inform the Parties of any provision in the College's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the College decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide notice in writing of the additional allegations to the Parties.

Dismissal of Formal Complaint

The College must investigate the allegations in a formal complaint. However, the College must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this Procedure.
- If the conduct alleged did not occur in the College's education program or activity.
- If the conduct alleged did not occur against a person in the United States.

The College has the discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations.
- If the Respondent is no longer enrolled or employed by the College.
- If there are specific circumstances that prevent the College from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

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If the College dismissed the formal complaint or any allegations, the Title IX Coordinator shall simultaneously provide the Parties with written notice of the dismissal and reason. The College will also notify the Parties of their right to appeal.

The College may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The College may, but is not required to, consolidate formal complaints as to allegations of sexual harassment 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 harassment arising out of the same facts or circumstances.

Equitable Treatment of the Parties

The College's determination of responsibility is a neutral, fact-finding process. The College will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The College will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

Statement of Presumption of Non-Responsibility

The investigation is a neutral, fact-finding process. The College presumes all reports are in good faith. Further, the College presumes the Respondent is not responsible for the alleged conduct. The College makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The College's Title IX Coordinator, Investigator, Decision-Maker, or any person designated by the College to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The College will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on:

- The definition of sexual harassment in this Procedure.
- The scope of the College's education program or activity.
- How to conduct an investigation.
- The grievance process includes conducting hearings, appeals, and informal resolution processes.
- How to serve impartially, including avoiding: prejudgment of the facts at issue; conflicts of interest; and bias.

TIMELINE FOR COMPLETION

The College will undertake its grievance process promptly and as swiftly as possible. The College will complete the investigation and its determination regarding responsibility or the informal resolution process within 180 calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180-calendar day period to conduct a fair and complete investigation, to accommodate an

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investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for college breaks or vacations, or due to the complexity of the investigation. The College will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping.

ROLE OF ADVISOR

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this Procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The College must provide an Advisor of its choice, free of charge to any Party without an Advisor to conduct cross-examination. If an Advisor fails to appear at the hearing, the College will provide an Advisor to appear on behalf of the non-appearing Advisor. To limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

CONFIDENTIALITY AGREEMENTS

To protect the privacy of those involved, the Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the College's grievance process. The confidentiality agreement restricts the dissemination of any of the evidence subject to inspection and review or the use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

USE OF PRIVILEGED INFORMATION

The College's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

INVESTIGATIONS

The Title IX Coordinator is responsible to oversee investigations to ensure timely resolution and compliance with Title IX and this Procedure.

Both Parties have the right to have an Advisor present at every meeting described in this section.

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Trained Investigators

The College will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this Procedure will have adequate training on what constitutes sexual harassment and how the College's grievance procedures operate. The College will also ensure that investigators receive training on issues of relevance to creating an investigative report that fairly summarizes relevant evidence and complies with this Procedure.

Gathering Evidence and Burden of Proof

The College, not the Parties, has the responsibility to gather information and interview witnesses. When the investigator evaluates the evidence, they will do so using the preponderance of the evidence standard. After considering all the evidence gathered, the investigator will decide whether it is more likely than not that the reported conduct occurred.

Notice of Investigative Interview

The College will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the College will send to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten (10) days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all the following information:

- A description of the circumstances giving rise to the formal complaint.
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed.
- A summary of the testimony of each witness the investigator interviewed.
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents.
- A specific finding as to whether the allegations occurred using a preponderance of the evidence standard.
- A table of contents if the report exceeds ten (10) pages.
- Any other information deemed appropriate by the College.

The investigator will not make a determination regarding responsibility.

The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information they do not produce to the

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Parties. The investigator will provide this log only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

At least ten (10) days prior to a hearing or other time of determination regarding responsibility, the College will send the investigative report to each Party and their Advisors, if any, the investigative report in an electronic format or a hard copy, for review and written response. The Parties will have at least ten (10) days to submit a written response.

HEARING

After completing an investigation and prior to completing a determination regarding responsibility, the College will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

Notice

If the College proceeds to a hearing, the College will provide all Parties written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

Hearing Format

The College may provide a live hearing with all Parties physically present in the same geographic location or, at the College's discretion if either Party requests, the College may provide any or all Parties, witnesses, and other participants the ability to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real-time.

The College will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The College will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The College will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

Decision-Maker

The Decision-Maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-Maker based on a conflict of interest, the Complainant or Respondent may request the Title IX Coordinator select a different Decision-Maker. The Complainant or Respondent must make this request to the Title IX Coordinator in writing at least five (5) business days prior to the hearing.

The Decision-Maker may ask the Parties and the witness questions during the hearing. The Decision-Maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker must receive training on issues of relevance, how to apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

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Presenting Witnesses

The College will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Cross-Examination

The College will permit each Party's Advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those questions challenging credibility. The Party's Advisor must conduct cross-examination directly, orally, and in real-time. A Party may never personally conduct cross-examination.

Advisors may only ask relevant cross-examination and other questions of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker need not provide a lengthy or complicated explanation in support of a relevance determination. If a Party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not rely on any statement of that Party or witness in reaching a determination regarding responsibility. A Party or witness may also decline to answer a question, and the Decision-Maker cannot rely on any statement on which that Party or witness has declined to answer cross-examination questions. A Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Determinations of Responsibility

When the Decision-Maker makes a determination of responsibility or non-responsibility, the Decision-Maker will issue a written determination regarding responsibility, no later than twenty (20) business days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the College will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures.

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- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, and the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing.
- Findings of fact support the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility.
- Conclusions regarding the application of the College's code of conduct to the facts.
- A statement of, and rationale for, the result of each allegation, including a determination regarding responsibility.
- A statement of, and rationale for, any disciplinary sanctions the College imposes on the Respondent.
- A statement of whether the College will provide the Complainant with remedies designed to restore or preserve equal access to the College's education program or activity.
- The College need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. The College can inform the Respondent that it will provide remedies to the Complainant. However, the College will inform the Complainant of the sanctions against the Respondent.
- The College's procedures and permissible bases for the Complainant and Respondent to appeal.

The College will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the College provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

Disciplinary Sanctions and Remedies

The College must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the College will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities.
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area.
- Providing counseling services or a referral to counseling services.
- Providing a referral to medical services.
- Providing academic support services, such as tutoring.

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- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record.
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, reduction in pay, demotion, suspension, or discharge.

APPEAL OF DISMISSAL OF A FORMAL COMPLAINT OR THE DETERMINATION OF RESPONSIBILITY

A Complainant or Respondent may appeal the College's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within ten (10) business days from the date of the notice of determination regarding responsibility or from the date of the College's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

A trained alternate will serve as the Decision-Maker on Appeal. In filing an appeal of the College's determination regarding responsibility or the College's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome.
- New evidence was not reasonably available at the time the College's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome.
- The College's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submits an appeal to the College, the College will:

- Notify the other Party in writing within five (5) business days of receiving a Party's appeal.
- Allow the non-appealing Parties at least ten (10) business days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome.

The appeal Decision-Maker will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 30 business days after the Decision-Maker on appeal receives the response to the appeal or the last day to provide a response. The College will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the appeal Decision-Maker explaining the need for the extension and the proposed length of the extension. The

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Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal Resolution

If the College determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The College will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The College must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the College does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

Retaliation Prohibited

The College prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

Dissemination of Policy and Procedures

The College will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the College.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The College will place the signed acknowledgment of receipt in each employee's personnel file.

TRAINING

The College will provide training to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the College's education program or activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials used to train the College's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal

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resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

FILE RETENTION

The College will retain on file for a period of at least seven (7) years after closing the case copies of:

- The original report or complaint.
- Any actions taken in response to the complaint, including supportive measures.
- The investigative report includes all evidence gathered and any responses from the Parties.
- The College's determination regarding responsibility.
- Audio or audiovisual recording or transcript from a hearing.
- Records of any disciplinary sanctions imposed on the Respondent.
- Records of any remedies provided to the Complainant.
- Any appeal and the result.
- Any informal resolution and the result.
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The College will make these training materials publicly available on its website.

The College will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-227 – CHILDREN AT BLACKHAWK TECHNICAL COLLEGE FACILITIES AND FUNCTIONS

Authority	Vice President of Finance and College Operations/CFO
Effective Date	August 9, 2004
Revision Date(s)	February 16, 2022; March 28, 2017; January 11, 2010
Reviewed Date(s)	June 19, 2018; July 23, 2007
Related Forms	
Related Policies and/or Procedures	H-240 – Minors on Campus
In Compliance With	

For the purpose of this Policy, “children” is defined as minors under the age of 18 who are not enrolled in a college course or program.

See [Policy H-240 – Minors on Campus](#) for guidance related to minors who are enrolled in a course or program at any college location.

It is the intent of the College to create and maintain a learning environment that is conducive to the success of students. Disruption of, or distraction in, that environment is a serious matter in which the good of all students needs to be considered. Clearly, having children in this environment interferes with the primary function of the College.

At the College, children should not accompany registered students, training participants, or college faculty/staff to classes, seminars, or other educational activities. If a child is brought to a session by a student/participant, the instructor/staff is authorized to ask the student/participant to leave that session.

If a child is brought to a work assignment by a college faculty/staff, the immediate supervisor is authorized to ask the faculty/staff to leave.

Under no circumstances are children permitted to be left unattended on the College premises or at College functions. If a child is left unattended, staff should immediately notify the appropriate division or site manager. The division or site manager will proceed with contacting college Security, who will make every attempt to resolve the issue but, if unable to do so, will refer the matter to the proper authorities (i.e., the Sheriff).

This regulation is in no way intended to discourage or prohibit special events, activities, and programs aimed at involving children in the College.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-230 – PRONOUNS AND GENDER IDENTITY

Authority	Executive Director of Student Services/CSSO
Effective Date	September 8, 2021
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	

The College recognizes that students and employees may designate their gender identity and preferred pronouns separate from their legal gender. The College encourages self-expression and affirmation of identity. The College is required to record student and employee legal gender on formal records to comply with federal law. Gender identity and preferred pronouns are gathered during the Admission process for students and during the employee onboarding process for employees. The College will work to use gender identity and preferred pronouns in college systems, communications, and information materials except where legal gender is required.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-240 – PREFERRED NAME

Authority	Executive Director of Student Services/CSSO
Effective Date	August 4, 2021
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	

The College will work to use preferred names in college systems, communications, and information materials except where a legal name is required by college business or legal requirements. These exceptions may include but are not limited to financial, medical, and law enforcement documents; transcripts, W-4 forms; I-9 forms; 1098 T forms; payroll documents, I-20/immigration documents, employment applications and related documents, background check documents, insurance documents, and student conduct records.

The College recognizes that students and employees may use names other than their legal name to identify themselves for a variety of reasons. These may include, but are not limited to, people who use their middle name instead of their first name, people who use nicknames of a legal name, people who use an anglicized name, or people who use a name that affirms their gender identity.

A preferred name designation can only be a first and/or middle name, last name/family names must remain the same as the legal name on college records. All preferred names must be alphabetical characters (A-Z).

A preferred name cannot be used for the purpose of misrepresentation or fraud and must otherwise comply with college policies. The use of a preferred or chosen name cannot be for illegal purposes. The College Registrar will determine if a student's preferred name is appropriate under these criteria. The Human Resources Department will determine if an employee's preferred name is appropriate.



BLACKHAWK TECHNICAL COLLEGE

SECTION E – GENERAL INSTITUTION

POLICY

E-250 – VEHICLE USE

Authority	Vice President of Finance and College Operations/CFO
Effective Date	September 5, 2017
Revision Date(s)	February 16, 2022
Reviewed Date(s)	
Related Forms	Motor Vehicle Record (MVR) Check Disclosure Form Consent and Authorization to Procure Motor Vehicle Record (MVR) Form Authorization for Release by DMI of Motor Vehicle Record Form
Related Policies and/or Procedures	
In Compliance With	

College-owned, leased, or rental vehicle use is limited to college business purposes. Rental vehicles include vehicles available to the College under a state contract. Personal use of college-owned, leased, or rented vehicles is strictly prohibited. Travelers should carpool whenever possible to avoid unnecessary costs to the College. Teleconferencing should be considered as an option for road travel, whenever practical.

Instructional programs that require the operation of college-owned, leased, or rental vehicles may establish policies, with the approval of the Vice President for Academic Affairs/CAO, regarding acceptable vehicle use/operation during training that are in addition to the requirements of this Policy.

Drivers of college-owned, leased, or rental vehicles must:

- Hold a valid state-issued driver’s license and maintain a good driving record (defined in Driver Record Evaluation).
- Complete the driver’s “Consent and Authorization to Procure Motor Vehicle Record (MVR) Form authorizing a driver’s license record check. Driver license checks will be conducted upon receipt of the form and annually or periodically thereafter for persons continuing to operate college vehicles.
- Shall observe all rules and regulations for safe driving as defined by the State of Wisconsin Motor Vehicle Division, or by the comparable agency in the state where the vehicle is being operated.
- Disclose all motor vehicle citations and/or arrests resulting from the operation of any motor vehicle to the Office of Campus Safety and Security.

VEHICLE OPERATION RULES

Department administrators shall ensure that college-owned and leased vehicles are properly maintained. Drivers shall not operate a vehicle that is not safe or is considered in need of maintenance or repair to allow for safe operation.

E-250 – VEHICLE USE

The driver is responsible to report any damage or equipment failure to their immediate supervisor within 24 hours of the incident. Any off-campus accident, theft, and/or vandalism must be reported to the local police department, and a copy of the police report sent directly to the College's Office of Safety and Security within 24 hours or as soon as possible. Report any on-campus accident, theft, or other vehicle damage to the Office of Safety and Security on the Accident-Incident Report Form. College departments may impose additional vehicle use requirements over their assigned vehicles.

Drivers must turn college vehicles off, remove keys, and lock vehicles when left unattended. Drivers are to avoid conditions that lead to loss of control, such as driving while sleepy or inattentive, or driving too fast for road conditions. The driver is responsible for passenger behavior and conducts while traveling. The number of persons will not exceed the seat belt capacity of the vehicle.

The use of radar detection devices is NOT permitted. Texting while driving is prohibited. The use of a cellular phone while operating a vehicle can present a safety concern and is therefore strongly discouraged.

Traffic violation fines are not reimbursable expenses. Any violations including any parking and speeding tickets will be the responsibility of the Driver.

Smoking is prohibited in all college-owned, leased, or rental vehicles. Drivers shall not operate a college-owned, leased, or rental vehicle if under the influence of alcohol, a banned substance, or medication that may affect their ability to drive. No alcoholic beverages or illegal substances are to be stored or transported in a college vehicle.

Unauthorized Drivers/Passengers

- The College's insurance company vehicle operating authority requires that only the driver (and other college-approved drivers) is authorized to drive. Hitchhikers are not permitted in vehicles at any time.

Animals, with the exception of trained service animals, are not allowed in college vehicles.

Transportation of Firearms, Ammunition, and Pyrotechnics in a college vehicle must be done in accordance with all applicable federal, state, and local laws and ordinances, must be a part of the curriculum, by armed security officers, or expressly approved by the supervising Executive Council member.

Emergency Roadside Assistance

- Should any problem arise with a college vehicle during the course of travel, the driver should use good judgment at the time based on the situation, and then contact the Office of Safety and Security during normal business hours at 608-743- 4596.

Insurance Card

- A District Mutual Insurance Card is required to be present in college-owned vehicles anytime that they are operated.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-270 – CODE OF CONDUCT FOR VISITORS AND GUESTS

Authority	President/District Director
Effective Date	October 4, 2016
Revision Date(s)	June 10, 2020; October 9, 2018
Reviewed Date(s)	June 19, 2018
Related Forms	
Related Policies and/or Procedures	E-275 – Free Speech E-280 – Sale and Solicitation on College Property
In Compliance With	

PHILOSOPHY AND PURPOSE

The Code of Conduct for Visitors and Guests at the College is designed to promote and preserve a safe environment for all who attend and participate in college-sponsored events or use college services. Visitors and guests are subject to federal and state laws, county and municipal ordinances, and applicable policies, procedures, rules, and regulations of the College. Visitors and guests are expected to act responsibly and respect the rights of the College community regardless of age, ancestry, citizenship status, color, creed, ethnicity, gender identity and expression, genetic information, marital status, mental or physical disability, national origin, race, religious affiliation, sex, sexual orientation, or veteran status and any other category protected by federal, state, or local law.

APPLICATION AND SCOPE OF JURISDICTION

- This Policy extends to all individuals who do not meet the definition of a member of the College community. This would include visitors to campus, applicants for admission, and former students who are not currently registered or those who have registered for a subsequent term but have not yet paid or made arrangements to pay tuition and/or fees.
- Persons not officially enrolled in the College, who by their actions on campus violate their status as invited visitors or guests, are subject to disciplinary action by the College and/or law enforcement.
- Certain criminal or civil offenses or other behavior may by their very nature, pose a serious and substantial danger to the College community. Violations of laws, ordinances, policies, rules, procedures, and regulations will subject the violator to appropriate criminal or civil action.
- College jurisdiction regarding discipline under this Policy extends to conduct that occurs on college premises or at off-campus college-sponsored activities.
- The President/District Director of the College authorizes the Office of Safety and Security to enforce this Policy including the authority to issue no-trespass orders to college visitors and guests who have violated this, Policy.
- Visitors and guests whose behavior leads to dismissal from college premises by Campus Security and Security may be required to meet certain requirements before regaining access to future college-sponsored events or other campus activities.

E-270 – CODE OF CONDUCT FOR VISITORS AND GUESTS

RIGHTS AND RESPONSIBILITIES OF VISITORS AND GUESTS

Visitors and guests to the College have certain responsibilities while on college property or at a college-sponsored activity.

- Visitors and guests are responsible for complying with applicable college policies, procedures, rules, and regulations.
- Visitors and guests are responsible for acting in a manner that does not interfere with or disrupt the privacy or rights of the College community or the College's normal educational and business functions.
- The College is a family-friendly institution that welcomes children to participate in a number of programs and activities. The College recognizes that visitors often need to bring children (defined as persons under the age of 16 who are not students at the College) to campus. Children must at all times be under the direct supervision of a parent, guardian, or adult. Visitors and guests are expected to ensure their children observe the Code of Conduct for Visitors and Guests.

PROHIBITED CONDUCT AND RESPONSE

When a visitor or guest engages in criminal behavior, or when a visitor or guest fails to respond to a directive issued by campus security personnel, the visitor or guest shall be issued a written order or subsequently sent a Letter of No Trespass. The visitor or guest will be escorted from campus or the College-sponsored activity, and the Letter of No Trespass will be sent to the appropriate law enforcement agency. A Letter of No Trespass shall be in effect for a period of no less than one year from the date it is issued.

The College reserves the right to take criminal and/or civil action against visitors and guests for misconduct not specifically identified in this Code.

RETURN AFTER ISSUANCE OF A LETTER OF NO TRESPASS

Any visitor or guest who has been issued a Letter of No Trespass and who wishes to return to any campus location or attend any college-sponsored activity must first meet with the Director of Campus Safety, Security, and Risk Management (or designee) prior to the event, and a withdrawal letter will be issued to the visitor or guest if the no trespass notice is withdrawn.

APPEAL

Any visitor or guest issued a Letter of No Trespass may appeal it to the Office of the Vice President of Finance and College Operations/CFO. The Vice President of Finance and College Operations/CFO will make a final determination on the Letter of No Trespass.

APPEAL PROCESS

Appeal requests must be made in writing to the Vice President of Finance and College Operations/CFO within five (5) business days after verbal or written notification of the Letter of No Trespass. A visitor or guest may appeal based upon new evidence that was unknown or unknowable at the time of the investigation and the decision to issue the Letter of No Trespass.

An appeal must be in writing and include the following information:

- The name, address, and telephone number of the party filing the appeal.
- A clear statement explaining the nature and circumstances of the appeal, including the new evidence, and the reason(s) the Letter of No Trespass should be rescinded.

E-270 – CODE OF CONDUCT FOR VISITORS AND GUESTS

The Vice President of Finance and College Operations/CFO will notify the visitor or guest of the appeal hearing date within three (3) business days after receipt of the written appeal.

Appeals will be conducted in accordance with the following guidelines:

- The visitor or guest will be provided an opportunity to present evidence relevant to the issues on appeal.
- The visitor, guest, and college have the right to be assisted by legal counsel at any time during the appeal process.
- The Vice President of Finance and College Operations/CFO will issue a decision within ten (10) days of the conclusion of the appeal hearing.

The preponderance of evidence standard (which means, “more likely than not”) is used to evaluate the merits of an appeal.

- The decision will be provided in writing and based solely on the evidence presented during the appeal hearing and will include a summary of the evidence and reasons for the decision. Appeal decisions shall be final.

The College recognizes the right of all parties involved in an appeal hearing to a fair and equitable. Falsification, distortion, or misrepresentation of information during the course of a college investigation, appeal hearing, or any other college-sponsored complaint resolution process may be grounds for further disciplinary action.

DEFINITIONS FOR THE PURPOSE OF THIS CODE

College Community – Includes trustees, students, and all employees of the College as well as any independent contractors or other third parties to the extent articulated under contractual agreements.

College – Means Blackhawk Technical College and, collectively, those responsible for its control and operation and applies to all sites at which the College conducts classes and/or activities.

Disruption – Includes, but is not limited to, the unauthorized entering or accessing of any college building, facility, property, employee work area, service, resource, or activity.

Student – Means an individual who is registered at the College, either full or part-time, in a credit or non-credit course or courses, who has either paid or made arrangements for payment of tuition and/or fees.

Visitors and Guests – Means persons who are not members of the College community who are on college premises.

College-Sponsored Activity – Means any activity that is initiated, authorized, or supervised by the College, or that involves representation of the College.

College Premises – Means buildings or grounds owned, leased, operated, controlled, supervised, or temporarily used by the College.

E-270 – CODE OF CONDUCT FOR VISITORS AND GUESTS

A Letter of No Trespass – This is an order given to a visitor or guest indicating they have violated a college policy or procedure and that they are prohibited from participating in a college-sponsored activity or being present on college premises. A Letter of No Trespass prohibits the recipient from returning to any college-sponsored event or location until rescinded.

For additional details regarding the reasonable restrictions the College has placed on the use of its buildings and facilities and relating to commercial activities on college property or at college-sponsored activities, see [Policy E-275 – Free Speech](#) and [Policy E-280 – Sale and Solicitation on College Property](#).



BLACKHAWK TECHNICAL COLLEGE

SECTION E – GENERAL INSTITUTION

POLICY

E-275 – FREE SPEECH

Authority	President/District Director
Effective Date	July 13, 2020
Revision Date(s)	May 19, 2021
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-270 – Code of Conduct for Visitors and Guests E-275.1 – Free Speech: Time, Place, and Manner E-275.2 – Distribution, Posting, and Display Tables H-275 – Public Assembly
In Compliance With	

The College acknowledges the constitutional right to engage in free speech and to assemble in groups for peaceful purposes. Among other things, these freedoms foster a robust exchange of ideas and can facilitate academic and social growth. The primary use of college buildings, facilities, and property owned or leased by the College is to provide educational services and programs for students and the District community. The College may, consistent with applicable state and federal law, establish reasonable restrictions regarding the time, place, and way persons may exercise their free speech and assembly rights on college property.

UNPROTECTED SPEECH AND ACTIVITIES

Some forms of speech—including but not limited to threats of violence, incitement to imminent lawless action, obscenity, defamation, and certain severe or pervasive harassment, threats, or intimidation—are not constitutionally protected and may result in disciplinary action.

Further, all members of the College community and those visiting college buildings, facilities, or property are prohibited from engaging in conduct leading to or resulting in any of the following:

- Endangerment to the health or safety of others.
- Substantial disruption of the orderly operation of the College.
- Damage to college property or that of a college student, employee, or guest.
- Denial of, or unreasonable interference with, the rights of others on college premises.
- Unauthorized access to or occupation of nonpublic areas on college premises, including but not limited to classrooms, laboratories, libraries, faculty and administrative offices, and special use facilities.
- Unauthorized access to or use of personal property, including files and records.

Individuals who engage in the above activities may be subject to disciplinary action, including suspension or dismissal from the College and/or removal from college property. In addition, such actions may result in criminal charges by law enforcement authorities.

E-275 – FREE SPEECH

The President/District Director shall enact college procedures further establishing reasonable restrictions regarding the time, place, and way persons and groups may exercise their free speech and assembly rights on college campuses.



BLACKHAWK TECHNICAL COLLEGE

SECTION E – GENERAL INSTITUTION PROCEDURE

E-275.1 – FREE SPEECH: TIME, PLACE, AND MANNER

Authority	President/District Director
Effective Date	July 6, 2020
Revision Date(s)	May 19, 2021
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-270 – Code of Conduct for Visitors and Guests E-275 – Free Speech E-280 – Sale and Solicitation on College Property H-275 – Public Assembly
In Compliance With	

Blackhawk Technical College students and employees shall be permitted to exercise their rights of free expression, speech, and assembly on campus and at college events subject to the provisions of **Policy E-275 – Free Speech**, **Policy H-275 – Public Assembly**, and these reasonable college procedures.

REASONABLE TIME, PLACE, AND MANNER RESTRICTIONS

The College generally permits free expression, speech, and assembly when its campuses are open, during its normal hours of operation, which are posted on the website. While engaged in free expression, speech, and assembly activities on college property or at college functions, no person may:

- Block entrances to or otherwise interfere with the free flow of traffic into and out of campus buildings and facilities.
- Have unauthorized entry to, possession of, receipt of, or use of any college services, equipment, resources, or properties.
- Engage in physical abuse including, but not limited to, physical or sexual assault, threats of violence, harassment or intimidation, or other conduct that threatens the health or safety of any person.
- Obstruct or disrupt teaching, research, administration, disciplinary procedures, or other orderly operations of the College.
- Exhibit disorderly or lewd conduct.
- Participate in a disturbance of the peace or unlawful assembly.
- Possess, use, store, or manufacture a firearm, explosive, or other weapon or destructive device.
- Engage in theft, destruction of, or damage to any college property, or any property of others while on the College’s campus. Persons causing any such damage may be held financially responsible and/or may face criminal charges by law enforcement authorities.
- Fail to comply with the directions of a college official or other public official acting in the performance of their duties while on college property or at official college functions or

E-275.1 – FREE SPEECH: TIME, PLACE, AND MANNER

resist or obstruct such college officials or other public officials in the performance of their duties.

- Camping or lodging on college property (this restriction includes, but is not limited to, unauthorized overnight use of campus facilities or equipment or sleeping on campus).
- Climbing or repelling down any building, facility, structure, or natural feature on college property.
- Participate in indecent exposure or public nudity on college property. This prohibition does not apply to appropriate visual or performing arts productions, academic programs, or classes scheduled or sponsored by campus academic groups or departments as determined by the department chair or group director.

In addition to these reasonable restrictions, college students and employees are responsible for complying with all applicable college policies and procedures, state and federal laws, and municipal ordinances. Failure to do so may result in immediate removal from the campus and any other appropriate action by college officials and/or college security.

PEACEFUL ASSEMBLIES AND DEMONSTRATIONS

Peaceful assemblies and demonstrations are defined to include gatherings of persons for the purpose of expressing, promoting, pursuing, or defending ideas. Assemblies and demonstrations are not permitted inside any campus classroom, library, storage or maintenance area, locker room, or special use area noted below with the exception of common areas or atriums, and in any place or manner that interferes with educational or other normal functions and operations of the College.

- Fitness Center.
- Science and computer laboratories.
- Training facilities.
- Food preparation areas.
- Office areas.
- And other specialized classrooms, laboratories, and training or testing facilities.

Students or employees who wish to engage in peaceful assemblies and demonstrations in outdoor areas and other permissible areas of campus may do so as long as the person's conduct is lawful, does not constitute unprotected speech and activities, and comports with [Policy E-275 – Free Speech](#), [Policy H-275 – Public Assembly](#), and the above reasonable regulations.

All college facilities must be left clean and in good repair after use. Persons or organizations failing to comply may be held financially responsible for any resultant cleanup costs.

Assemblers or demonstrators refusing to vacate college property upon request may be subject to immediate temporary suspension and/or arrest under applicable state and federal laws.

EXPRESSION, SPEECH, AND ASSEMBLY BY EXTERNAL PERSONS

Public individual(s) or groups (e.g., those who are not students, employees, or individuals otherwise invited to be present on college property) wishing to engage in free expression, assembly, speech, or expressive activities on campus must contact the College's Office of Safety and Security prior to engaging in the activities according to [Policy H-275 – Public Assembly](#) and submit a formal request, subject to approval, a minimum of three (3) days in advance of the activity.

E-275.1 – FREE SPEECH: TIME, PLACE, AND MANNER

Public individuals or groups who receive approval to engage in such activities must comply with **Policy E-275 – Free Speech**, **E-270 – Code of Conduct for Visitors and Guests**, and the above reasonable procedures.

PERSONAL POLITICAL ACTIVITY

The College acknowledges and respects the rights of students and employees to engage in personal political activity. When using college buildings or facilities, however, college employees must keep their personal political activity separate from their institutional role and college activities. Personal political activity should not be engaged in such a manner as to incorrectly represent college support or endorsement. Neither college funds, equipment, instructional programs nor other resources may be used for such personal political activity.

SOUND AMPLIFICATION

The use of sound amplification equipment must be approved in advance. Applications for the use of sound amplification equipment or space shall be approved by the Office of Safety and Security (or its designee). The College may control the volume and direction of sound amplification so as not to disturb or disrupt college activities or operations.

Acoustic or ambient sound, such as that generated through musical instruments, may be limited when such use interferes with the orderly conducting of college activities or operations.

DEFINITIONS

For purposes of this Procedure, the following definitions apply:

Student – All individuals currently enrolled in courses at the College on either a full- or part-time basis.

Employee – All individuals currently employed by the College.

Campus – All property and facilities owned, leased, operated, controlled, supervised, or temporarily used by the College.

For additional details regarding the use of college buildings and facilities to engage in commercial activities or by individuals or groups who are not associated with the College community, see **Policy E-280 – Sale and Solicitation on College Property** and **Policy E-270 – Code of Conduct for Visitors and Guests**.



BLACKHAWK TECHNICAL COLLEGE

SECTION E – GENERAL INSTITUTION PROCEDURE

E-275.2 – DISTRIBUTION, POSTING, AND DISPLAY TABLES

Authority	President/District Director
Effective Date	June 10, 2020
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and Procedures	E-270 – Code of Conduct for Visitors and Guests E-275.1 – Free Speech: Time, Place, and Manner E-280 – Sale and Solicitation on College Property
In Compliance With	

The following policy has been established regarding the distribution and posting of printed materials and use of display tables on the College’s campus (including any property or facility owned, leased, operated, controlled, supervised, or temporarily used by the College) and at college-sponsored events (whether on or off campus) to prevent interference with the educational process, disruption of the work environment and to maintain effective operations.

DISTRIBUTION OF PRINTED MATERIALS

Printed materials include, but are not limited to, posters, signs, circulars, newspapers, pamphlets, handbills, fliers, announcements, or similar material. The College prohibits the distribution or posting of materials that incite others to imminent lawless action, raise false alarm of imminent personal danger, constitute severe and pervasive harassment, endanger the health or safety of others, interfere with, or disrupt the normal functioning of the College, result in damage to the College property, or deny or unreasonably interfere with, the rights of others on the College property.

Subject to the terms of this Procedure, the distribution of non-commercial materials on campus is generally permitted during the College’s regular hours of operation which may be found at <https://www.blackhawk.edu/Locations>. Such distribution must not interfere with the orderly conduct of the College’s affairs, the maintenance of the College’s property, the entrance to or exit from any college facility, and the free flow of vehicular and pedestrian traffic.

Consistent with **Policy E-280 – Sale and Solicitation on College Property**, before distributing commercial materials (i.e., materials intended to market, sell, or promote goods or services on behalf of any person or entity that is not a college department or affiliated organization) on campus, any individual or group must seek express written permission from the President/District Director or designee.

No individual may distribute printed materials in libraries during standard operating hours or in academic facilities or classrooms while class is in session unless granted express written permission to do so.

E-275.2 – DISTRIBUTION, POSTING, AND DISPLAY TABLES

POSTING OF PRINTED MATERIALS

The posting or affixing of printed materials is permitted at the following locations: college-designated bulletin boards. Postings may not exceed 11" x 14" in size and must indicate the name of the sponsoring organization or individual. All postings will be removed weekly.

Other than these designated locations, no printed materials may be placed on or against, attached to, or written on any structure or natural feature of the College's campuses including, but not limited to, the sides of doors or buildings, windows, the surface of walkways or roads, posts, waste receptacles, trees, or stakes without express written permission from the President/District Director or designee. Nor may any chalk, paint, or permanent markings be made on such structures without the College's express written permission.

DISPLAY TABLES

Members of the College community may maintain a display table, chairs, or other display materials. Display tables and display materials may not exceed 30" x 72" in size and may not block any entrance or walkway, or otherwise restrict the free flow of vehicular or pedestrian traffic. Display materials must be affixed to the display table. Tables or other display materials must be always staffed by a college student, student organization representative, or employee.

Individuals or groups who are not associated with the College community who wish to set up a display table must obtain express written permission from the President/District Director or designee.

ADDITIONAL REQUIREMENTS FOR EMPLOYEES

Employees are not permitted to distribute or post materials (e.g., handbills, pamphlets, petitions, etc.) unrelated to their work or the College; promote or advertise events unrelated to their work or the College; or advertise or offer products or services for sale during working time or in working areas. As used in this Procedure, "working time" shall mean the time during working hours when either the approaching or the approached employee is engaged or is expected to be engaged in services on behalf of the College. Working time does not include the time when both employees are on lunch, work breaks, or otherwise not on duty.

For additional details relating to the reasonable restrictions the College has placed on free speech and peaceful assembly, the use of college buildings and facilities to engage in commercial activities, or by individuals or groups who are not associated with the College community, see [Procedure E-275.1 – Speech: Time, Place, and Manner](#), [Policy E-280 – Sale and Solicitation on College Property](#), and [Policy E-270 – Code of Conduct for Visitors and Guests](#).



**BLACKHAWK TECHNICAL COLLEGE
SECTION E – GENERAL INSTITUTION
POLICY**

E-280 – SALE AND SOLICITATION ON COLLEGE PROPERTY

Authority	Vice President of Finance and College Operations/CFO
Effective Date	December 17, 1980
Revision Date(s)	August 31, 2022; July 6, 2020; October 27, 2010; April 17, 2002
Reviewed Date(s)	March 19, 2008; December 21, 2005
Related Forms	
Related Policies and/or Procedures	E-270 – Code of Conduct for Visitors and Guests E-275 – Free Speech
In Compliance With	

This Policy is intended to promote free speech including the healthy and robust exchange of ideas on college campuses while preserving a safe, educational environment for all who visit and attend college-sponsored events or use the College’s services. Commercial speech may be regulated by the College to a greater extent than non-commercial speech.

COMMERCIAL SPEECH

Commercial speech is any form of speech, expression, or activity that is primarily intended to market, sell, or promote goods and services on behalf of any person or entity that is not affiliated with a department or organization of the College. Soliciting for contributions or donations is included in the definition of commercial speech.

The College generally prohibits commercial speech activities on or in any premises owned, leased, or rented by the College. Persons or organizations wishing to engage in commercial speech activities on college property must be granted express written permission to do so by the President/District Director or designee. In addition, and unless granted an exception at the discretion of the College, all approved commercial speech activities must occur during standard operating hours and may be further limited to certain locations on college campuses that will not interfere with or disrupt student privacy, education, or the College’s normal educational and business functions.

Any commercial business desiring to sell products or services or any group (including non-profit organizations, community groups, and employee groups) requesting to solicit donations or contributions on the College premises shall submit a written request to the President/District Director or designee. This request should state the nature of the products/services to be sold or donations solicited and identify the duration of the sale/solicitation. Commercial applicants will also be required to provide a sales tax number and/or other documents authorizing them to conduct business in the State of Wisconsin and the County of Rock. Groups soliciting donations or contributions should provide their State of Wisconsin tax-exempt identification number.

Any action by the College that restricts commercial speech under this Policy shall be applied without discrimination toward the content of the view(s) being expressed. The College may,

E-280 – SALE AND SOLICITATION ON COLLEGE PROPERTY

however, consider the effect of commercial activities on the safety and orderly operations of its campuses when making determinations regarding approval or necessary restrictions.

This Policy is not intended to limit or prohibit the business activities of any vendor duly contracted by the College to do business on college property when such business resulted from a solicitation proposal circulated by the College. The College reserves the right to make exceptions under this Policy for the solicitation of charitable donations or contributions, or sale of tickets, food, or products by college administration, students, faculty, and staff when the donations, contributions, or sale proceeds support the College or fund-raising activities of non-profit organizations or charitable functions that have been pre-approved by the College, e.g., walk-a-thon sponsorships, children's fundraisers. Such solicitation and sales will be allowable provided they do not interfere with the normal activities of the College.

For additional details regarding reasonable restrictions the College has placed on the use of its buildings and facilities and for individuals or groups who are not associated with the College community, see [Policy E-275 – Free Speech](#) and [Policy E-270 – Code of Conduct for Visitors and Guests](#).



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-290 – ADVERTISING ON SCHOOL PROPERTY

Authority	Vice President of Finance and College Operations/CFO
Effective Date	May 15, 2002
Revision Date(s)	August 31, 2022
Reviewed Date(s)	December 6, 2016; September 15, 2010; March 19, 2008; December 21, 2005
Related Forms	
Related Policies and/or Procedures	
In Compliance With	

The College prohibits, on or in any premises owned, leased, rented, or occupied by the College, the advertising of any product or service by a commercial for-profit business, unless authorized in writing by the President/District Director or designee.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-340 – SMOKING/TOBACCO

Authority	District Board
Effective Date	August 18, 1976
Revision Date(s)	February 12, 2014; January 16, 2008; October 19, 2005; December 19, 2001; June 21, 1989
Reviewed Date(s)	October 26, 2022; July 17, 2018; January 20, 2010
Related Forms	
Related Policies and/or Procedures	
In Compliance With	

Smoking, the use of tobacco products, and the use of electronic cigarettes are prohibited inside all college facilities. The use of these products is permitted outside the buildings in designated areas only. The President/District Director shall have the authority to designate appropriate areas.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-343 – ALCOHOL

Authority	District Board
Effective Date	August 18, 1976
Revision Date(s)	October 26, 2022; February 17, 2010; January 16, 2008; September 20, 2000
Reviewed Date(s)	July 17, 2018; September 21, 2005; February 19, 1992
Related Forms	
Related Policies and/or Procedures	F-200 – Community Use of College Facilities
In Compliance With	

The possession or consumption of alcoholic beverages on the premises of the College shall be prohibited. In the interest of protecting the rights of all concerned, all staff members shall share in the responsibility of carrying out this Policy.

This Policy does not pertain to Culinary Arts/Food Service programs where alcohol is used in the preparation of food; nor does it apply to field sobriety testing conducted in the Police Science program, Police Recruit Training, and/or Police In-Service training.

Waivers to this Policy for special events held on campus can be approved by the President/District Director or designee on a case-by-case basis. Requests for a waiver must be in writing and received six (6) weeks before the event. The waiver would permit the serving of beer and/or wine only at college facilities to college-affiliated groups or outside organizations. Sponsoring groups will be responsible for being aware of and adhering to all applicable state laws, municipal ordinances, and college policies and procedures. Organizations sponsoring an event will assume responsibility for damages to the facility and indemnify the College for any loss, damage, or injury resulting from the serving of beer and/or wine.

Under no circumstances is alcohol to be served at student events.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-346 – DRUG-FREE ENVIRONMENT AND DRUG PREVENTION

Authority	District Board
Effective Date	January 12, 2022
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	C-580 – Alcohol and Drug Testing E-343 – Alcohol
In Compliance With	Drug-Free Schools and Communities Act Amendments of 1989 Drug-Free Workplace Act of 1988

The College is committed to maintaining a drug-free learning and working environment. Students and employees may not possess, use, or distribute illicit drugs and alcohol except as authorized under [Policy E-343 – Alcohol](#).

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all facilities under the control and use of the College.

The abuse of drugs and alcohol interferes with a person's ability to learn and work and increases the risk of accidents and serious health problems. Drugs and alcohol chemically influence a person's motor skills, bodily functions, and brain processes, interfering with judgment, perception, reaction time, and other skills necessary to maintain a safe and effective learning and working environment.

Any student or employee who violates this policy will be subject to disciplinary action, which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion, or dismissal.

The President/District Director shall assure that the College distributes annually to each student and employee the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with the other requirements of the Act.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-346.1 – DRUG-FREE ENVIRONMENT AND DRUG PREVENTION

Authority	President/District Director
Effective Date	January 12, 2022
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	C-580 – Alcohol and Drug Testing E-343 – Alcohol
In Compliance With	Drug-Free Schools and Communities Act Amendments of 1989 Drug-Free Workplace Act of 1988

As an academic community, the College is committed to providing an environment in which learning can flourish. The possession or use of illegal drugs, or the abuse of drugs which may otherwise be legally possessed, seriously affects the College environment, as well as the individual potential of our students.

The College enforces state laws and related college policies, including those prohibiting the following activities on campus:

- Providing alcoholic beverages to individuals under 21, or possession or consumption of alcoholic beverages by individuals under 21.
- Distribution, possession, or use of illegal drugs or controlled substances.

STUDENT SANCTIONS

The abuse of alcohol and other drugs by students, regardless of age and location (on campus or off campus), is prohibited by the Student Conduct Code. The College can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances, and state, and federal laws.

The College strongly encourages students to voluntarily obtain assistance for dependency or abuse problems before such behavior results in an arrest and/or disciplinary referral, which may result in separation from the institution. The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Conduct Code and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Students confronted by the institution for the consumption of alcohol will face disciplinary sanctions ranging from Student Code of Conduct sanctions to local, state, and federal legal actions.

Students whose use of alcohol or drugs results in harm or the threat of harm to themselves or others, or property, regardless of the location of the incident, may face disciplinary action by the College up to and including expulsion.

E-346.1 – DRUG-FREE ENVIRONMENT AND DRUG PREVENTION

Commonly Imposed Disciplinary Sanctions For On-Campus Policy Violations

The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:

- **Warning:** A notice in writing that the student is violating or has violated the Student Code of Conduct.
- **Probation:** A written reprimand for violation of specified regulations. Probation is for a designated period and includes the probability of more severe disciplinary sanctions if the student violates any institutional regulation(s) during the probationary period.
- **Loss of Privileges:** Denial of specified privileges for a designated period.
- **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- **Discretionary Sanctions:** Work assignments, essays, service to the College, or other related discretionary assignments.
- **College Suspension:** Separation of the student from the College for a defined period, after which the student is eligible to return. Conditions for readmission may be specified.
- **College Expulsion:** Permanent separation of the student from the College with no opportunity to return.

As members of the College community, students are also subject to city ordinances, state, and federal law. Arrest and prosecution for alleged violations of criminal law or city ordinances may result from the same incident for which the College imposes disciplinary sanctions.

EMPLOYEE SANCTIONS

Employees under the influence of alcohol or illegal drugs while at work will be subject to corrective action. The College may conduct drug or alcohol testing for employees where required or warranted unless otherwise prohibited by federal or state law.

- Whenever employees are working, operating a College vehicle, present on college premises, or conducting college-related work offsite, they are prohibited from:
 - Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug, including possession of drug paraphernalia.
 - Being under the influence of alcohol or an illegal drug as defined in this procedure.
 - Possessing alcohol.
- The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's system, while performing college business or while in a college facility, is prohibited.
- The College will also not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees taking prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce it if asked.
- Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Candidates who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to reapply or retest in the future.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture, or dispense an illegal drug in violation of this procedure will be terminated.

E-346.1 – DRUG-FREE ENVIRONMENT AND DRUG PREVENTION

As a condition of employment, employees must notify the College within five (5) days of any conviction for violating a criminal drug statute while in the workplace. The College is required to inform any agencies that require this drug-free procedure within ten (10) days after receiving notice of a workplace drug conviction.

The first time an employee tests positive for alcohol or illegal drug use under this procedure, the result will be discipline up to and including discharge.

Employees will be paid for time spent in alcohol or drug testing and then suspended without pay pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management/supervision and Human Resources. Should the results prove to be negative, the employee will receive back pay for the days of suspension.

PREVENTION, EDUCATION, AND COUNSELING

Help is available both on campus and within the community for students who are dependent on, or who abuse the use of alcohol or other drugs. The College's Student Counseling and Case Manager and other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. Student Services provides educational and awareness programming, information, and assistance. This includes interventions and opportunities for individual, group, and community referrals designed to prevent and reduce alcohol and other drug use/abuse.

Human Resources, Student Services, and the Office of the Student Counseling and Case Manager offer a variety of psychoeducational programming, support groups, online resources, written materials, and simulations that occur throughout the year.

Brief counseling is available on campus to students through the Student Counseling and Case Manager who will refer students to other programs for additional education, counseling, and more intensive treatment. Employees can access counseling and referrals through the Employee Assistance Program (EAP).

A list of substance abuse counseling agencies within Rock and Green Counties is published in the College's Drug-Free Schools and Colleges Annual Notification located on the College's website, www.blackhawk.edu, under Consumer Information.

These agencies provide a variety of services, which may include inpatient and outpatient rehabilitation, homeopathic and alternative options, individualized psychotherapy, alcohol and drug detox, Naltrexone, Christian drug and alcohol rehab, and life coaching. Interested individuals are encouraged to contact the agency for additional information regarding specific services and costs.

HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS AND ALCOHOL ABUSE

Alcohol

According to the Centers for Disease Control and Prevention, drinking too much can harm your health. Excessive alcohol use led to approximately 88,000 deaths and 2.5 million years of potential life lost each year in the United States from 2006 – 2010, shortening the lives of

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those who died by an average of 30 years. Further, excessive drinking was responsible for 1 in 10 deaths among working-age adults aged 20-64 years.

Short-Term Health Risks

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions including:

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

Long-Term Health Risks

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

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

ILLICIT DRUGS

According to the National Institute on Drug Abuse, general health risks of drug use include:

- Increased spread of infectious diseases. Injection of drugs such as heroin, cocaine, and methamphetamine currently accounts for about 12% of new AIDS cases. Injection drug use is also a major factor in the spread of hepatitis C, a serious, potentially fatal liver disease. Injection drug use is not the only way that drug abuse contributes to the spread of infectious diseases. All drugs of abuse cause some form of intoxication, which interferes with judgment and increases the likelihood of risky sexual behaviors. This, in turn, contributes to the spread of HIV/AIDS, hepatitis B and C, and other sexually transmitted diseases.
- Negative effects of prenatal drug exposure on infants and children. A mother's abuse of heroin or prescription opioids during pregnancy can cause a withdrawal syndrome (called neonatal abstinence syndrome, or NAS) in her infant. It is also likely that some drug-exposed children will need educational support in the classroom to help them overcome what may be subtle deficits in developmental areas such as behavior, attention, and thinking. Ongoing research is investigating whether the effects of prenatal drug exposure on the brain and behavior extend into adolescence to cause developmental problems during that time.

The Risk from Specific Drugs

- Marijuana is the most commonly abused illegal substance. This drug impairs short-term memory and learning, the ability to focus attention, and coordination. It also increases heart rate, can harm the lungs, and can increase the risk of psychosis in those with an underlying vulnerability.

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- Prescription medications, including opioid pain relievers (such as OxyContin® and Vicodin®), anti-anxiety sedatives (such as Valium® and Xanax®), and ADHD stimulants (such as Adderall® and Ritalin®) are commonly misused for self-treat for medical problems or abused for purposes of getting high or (especially with stimulants) improving performance. However, misuse or abuse of these drugs (that is, taking them other than exactly as instructed by a doctor and for the purposes prescribed) can lead to addiction and even, in some cases, death. Opioid pain relievers, for instance, are frequently abused by being crushed and injected or snorted, greatly raising the risk of addiction and overdose. Unfortunately, there is a common misperception that because medications are prescribed by physicians, they are safe even when used illegally or by someone other than the person for whom they were prescribed.
- Inhalants are volatile substances found in many household products, such as oven cleaners, gasoline, spray paints, and other aerosols, that induce mind-altering effects; they are frequently the first drugs tried by children or young teens. Inhalants are extremely toxic and can damage the heart, kidneys, lungs, and brain. Even a healthy person can suffer heart failure and death within minutes of a single session of prolonged sniffing of an inhalant.
- Cocaine is a short-acting stimulant, which can lead users to take the drug many times in a single session (known as a “binge”). Cocaine use can lead to severe medical consequences related to the heart and the respiratory, nervous, and digestive systems.
- Amphetamines, including methamphetamine, are powerful stimulants that can produce feelings of euphoria and alertness. Methamphetamine’s effects are particularly long lasting and harmful to the brain. Amphetamines can cause high body temperature and can lead to serious heart problems and seizures.
- MDMA (Ecstasy or “Molly”) produces both stimulant and mind-altering effects. It can increase body temperature, heart rate, blood pressure, and heart-wall stress. MDMA may also be toxic to nerve cells.
- LSD is one of the most potent hallucinogenic, or perception-altering, drugs. Its effects are unpredictable, and abusers may see vivid colors and images, hear sounds, and feel sensations that seem real but do not exist. Users also may have traumatic experiences and emotions that can last for many hours.
- Heroin is a powerful opioid drug that produces euphoria and feelings of relaxation. It slows respiration, and its use is linked to an increased risk of serious infectious diseases, especially when taken intravenously. People who become addicted to opioid pain relievers sometimes switch to heroin instead, because it produces similar effects and may be cheaper or easier to obtain.
- Steroids, which can also be prescribed for certain medical conditions, are abused to increase muscle mass and improve athletic performance or physical appearance. Serious consequences of abuse can include severe acne, heart disease, liver problems, stroke, infectious diseases, depression, and suicide.
- Drug combinations. A particularly dangerous and common practice is the combining of two or more drugs. The practice ranges from the co-administration of legal drugs, like alcohol and nicotine, to the dangerous mixing of prescription drugs, to the deadly combination of heroin or cocaine with fentanyl (an opioid pain medication). Whatever the context, it is critical to realize that because of drug-to-drug interactions, such practices often pose significantly higher risks than the already harmful individual drugs.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-350 – ANIMALS ON CAMPUS

Authority	Executive Director of Student Services/CSSO
Effective Date	July 27, 2022
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-219 – Nondiscrimination
In Compliance With	The Americans with Disabilities Act of 1990 Wis. Stat. 106.521(1) (fm) 2005 Wisconsin Act 354

The College prohibits the presence of any animal in college-controlled and managed facilities, except under the following exemptions In Compliance With state and federal law:

- Service animals are specially trained for and under the control of an individual with a disability.
- Registered therapy animals are brought on campus by approved handlers for college-approved events or programming through pre-arranged agreements.
- On-duty police K-9 or rescue dogs.
- Teaching animals as specified in the program curriculum and approved by the College.

Any permitted animal must always remain under the control of the handler and is solely the handler's responsibility. The College reserves the right to exclude an exempted animal when its behavior poses a disruption to the learning environment and/or a threat to the health or safety of others.



BLACKHAWK TECHNICAL COLLEGE

SECTION E – GENERAL INSTITUTION PROCEDURE

E-350.1 – ANIMALS ON CAMPUS

Authority	Executive Director of Student Services/CSSO
Effective Date	July 27, 2022
Revision Date(s)	
Reviewed Date(s)	
Related Forms	Student, Staff, and Community Complaint Form
Related Policies and/or Procedures	E-219 – Nondiscrimination
In Compliance With	The Americans with Disabilities Act of 1990 Wis. Stat. 106.521(1) (fm) 2005 Wisconsin Act 354

To prevent discrimination based on disability, the College will allow individuals with disabilities who have service animals to participate in and benefit from college services, programs, and activities. Service animals assisting individuals with disabilities are generally permitted in all facilities and programs on college campuses.

Emotional support animals do not qualify for protection under the Americans with Disabilities Act (ADA) and are only protected under the Fair Housing Act. Therapy animals are not protected under the ADA and must be pre-approved before bringing on campus.

USE OF SERVICE ANIMALS ON CAMPUS

Students

The College encourages but does not require, students to make themselves known to the College through the Access and Accommodations Office should they desire to have a service animal accompany them in academic classes, activities, or services on campus.

Visitors

Service animals accompanying individuals with disabilities are welcome in all areas of campus that are open to the public. Specific questions related to the use of service animals on the campus by visitors can be directed to the Office of Campus Safety and Security.

Employees

Employee requests to have a service animal at work should be coordinated through Human Resources.

Certain areas may be considered unsafe for the service animal and its handler, or where the presence of an animal might interfere with the safety of others, such as, but not limited to, chemistry labs, industrial labs, or surgical suites. Exceptions will be made on a case-by-case basis by consultation with the Access and Accommodations Office.

E-350.1 – ANIMALS ON CAMPUS

If it is determined that an area is unsafe, reasonable accommodations will be provided to assure equal access to the student.

The responsibilities of handlers of service animals are outlined as follows:

- The service animal must be always under the control of the handler.
- The service animal must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal's work, or the person's disability prevents the use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal.
- The care and supervision of the service animal is the responsibility of the handler.
- Regular bathing of the service animal is expected to avoid odor and shedding.
- The service animal must be toilet trained; the handler is responsible for the cleanup of animal waste.
- The handler must use appropriate toilet areas for the service animal.
- The handler must be able to provide proof of current rabies vaccination.
- The handler is financially responsible for any property damage, bodily injury, or personal injury caused by the service animal.

The College may ask the following two (2) questions to determine whether an animal qualifies as a service animal:

- Is the service animal required because of a disability?
- What work or tasks has the animal been trained to perform?

The College may not ask about the individual's disability or require medical documentation to support the need for the animal. The College may not require documentation that the animal has been certified, trained, or licensed, or ask that the animal demonstrate its ability to perform its work and/or tasks.

The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include but are not limited to, assisting individuals who are blind or have low vision with navigation or other tasks; alerting individuals who are deaf or hard of hearing to the presence of people or sounds; pulling a wheelchair; assisting an individual during a seizure; alerting individuals to the presence of allergens; retrieving items such as medicine or the telephone; providing physical support and assistance with balancing and stability to individuals with mobility disabilities; and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks as defined above.

The College may ask an individual with a disability to remove a service animal from the premises for the following reasons:

- The service animal is found to be disruptive in the classroom.
- The service animal shows aggression toward their handler or other members of the campus community.
- The service animal is out of control and the animal's handler does not take effective action to control it.
- A service animal is physically ill.

E-350.1 – ANIMALS ON CAMPUS

- A service animal is unreasonably dirty.
- The presence of the service animal causes danger to the safety of the handler or other students/members of the campus.
- The animal causes substantial physical damage to property.
- The animal would pose an undue financial and/or administrative burden for the College or would fundamentally alter the College's ability to deliver services, programs, or activities.
- The animal is not toilet trained.
- The animal constitutes a fundamental alteration to the nature of the program or service. (The College will make those determinations on a case-by-case basis.)

If a service animal is excluded under one of these exceptions, the College will give the individual with a disability the opportunity to obtain goods, services, and accommodations or to participate in the service, program, or activity without having the service animal on the premises.

The College will not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees or to comply with other requirements generally not applicable to people without pets. If the College normally charges individuals for damage caused by pets, an individual with a disability may be charged for damage caused by their service animal.

Anyone who believes the College did not follow the established procedure regarding animals on campus or discriminated against them by denying an animal on campus may file a complaint. Students or visitors should contact the Access and Accommodations Office to file a complaint. Employees should contact Human Resources to file a complaint. Complaints can also be submitted using the College's online Student, Staff, and Community Complaint Form.

DEFINITIONS

Service Animal – The Americans with Disabilities Act (ADA) defines a service animal as a dog (or miniature horse) that is individually trained to respond to an individual's needs and to do work or perform tasks for the benefit of an individual with a disability. An animal that is used to provide only an emotionally supportive therapeutic service for an individual does not meet the definition of a Service Animal.

Emotional Support/Comfort Animal – Any animal used as part of a medical treatment plan to provide companionship and help with issues such as depression, anxiety, and certain phobias, but does not have special training to perform tasks that assist an individual. Emotional Support/Comfort Animals are only protected under the Fair Housing Act.

Therapy Animal – Unlike a service animal, a therapy animal is a pet trained to interact with many people other than its handler to make those people feel better. Therapy animals are also trained to behave safely around all sorts of people and are often certified. A therapy animal handler is not given public access rights by any service animal laws to take the animal to no-pet places. Therapy animals are only allowed via prior agreement. Therapy Animals are not protected under state or federal law.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-375 – GIFTS, DONATIONS, AND BEQUESTS

Authority	President/District Director
Effective Date	April 15, 1981
Revision Date(s)	August 4, 2021; December 7, 2016; July 8, 2002; July 13, 1987
Reviewed Date(s)	August 26, 2020; September 15, 2010; March 19, 2008; December 21, 2005
Related Forms	
Related Policies and/or Procedures	
In Compliance With	

It shall be the policy of the College to encourage bequests of money, equipment, scholarships, property, or other donations, to be made to the Blackhawk Technical College Foundation, and where appropriate, to have the Foundation assign those donations for use by the College, under terms and conditions that are deemed appropriate to the District. Anonymous donations will not be accepted.

On a fiscal year basis, the District Board will receive a bi-annual report on all cash and in-kind donations received exceeding \$5,000.

The President/District Director shall consider all gifts, donations, and bequests made to the College. The President/District Director reserves the right to refuse to accept any gift which does not contribute toward the goals of the College or the ownership of which would have the potential to deplete the resources of the College.

The College shall assume no responsibility for appraising the value of gifts made to the College.

Acceptance of a gift shall not be considered an endorsement by the College of a product, enterprise, or entity.

In no event shall the College accept a donation from any donor who engages in practices or policies which discriminate against any person on the basis of nationality, religion, age, gender, (gender identity, gender expression), race or ethnicity, medical condition, genetic information, ancestry, (sexual orientation), marital status, (military or veteran status), or physical or mental disability; or when the stated purposes of the donation are to facilitate such discrimination in providing educational opportunity.

Gifts considered by the President/District Director will be submitted to the Blackhawk Technical College Foundation.

Individuals, organizations, and employers may make equipment and supplies available to the College as either an outright donation or on a loan basis. With the increased costs and

E-375 – GIFTS, DONATIONS, AND BEQUESTS

complexity of equipment and supplies, this practice affords the College access to equipment and supplies which may be difficult to purchase. To ensure such actions are in keeping with the total philosophy of the College, the following guidelines shall prevail:

- Equipment and supplies that are of current technology and support the curriculum of a particular program may be accepted and approved by the President/District Director or a designated representative of the College. When appropriate, donors will be referred to the College Foundation, Inc. and encouraged to donate to the Foundation.
- Acceptance of any donation shall be determined based on the contribution to the whole institution, with donations not being limited to one particular employer, organization, or group. The donation must fit within the mission and philosophy of the College's services.
- Equipment shall be made available, on an equal basis, to all classes and students of the institution irrespective of affiliation with any employer, organization, or group of individuals.

No preferential treatment shall be given to a donor in terms of waiver of tuition or materials fees and scheduling of classes or assignment of instructional staff.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-470 – SMALL UNMANNED AERIAL VEHICLE (UAV) FLIGHT

Authority	Vice President for Academic Affairs/CAO
Effective Date	June 15, 2022
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	Federal Aviation Administration Code of Federal Regulations Title 14 Part 107 – Small Unmanned Aircraft System

The College recognizes that the use of Unmanned Aerial Vehicles (UAV) along with Remote Operated Aircraft (ROA) and Unmanned Aerial Systems (UAS) commonly known as “drones” can make significant contributions to College academic programs and instructor-led service/outreach activities in a variety of disciplines.

The College prohibits employee and student operation of UAVs of any type except for instructional use in an academic program. Academic programs must be approved to operate UAV by the Vice President for Academic Affairs. The College secures sufficient Districts Mutual Insurance (DMI) for coverage of UAV operations in authorized academic programs.

The College will operate UAVs in accordance with the Federal Aviation Administration (FAA) Title 14 CFR Part 107. Instructors in authorized academic programs must comply with all applicable FAA regulations and any additional operating restrictions specified by DMI to reduce college risks to community safety, security, and privacy.

The College may contract with commercial UAV operators for services to meet the business or educational needs of the College. UAV service contracts must be approved by the Vice President of Administrative Services. Contractors must provide appropriate documentation of qualifications and insurance for all UAV services provided.

Local law enforcement use of UAV technology in the execution of a search warrant or as part of a tactical response to an immediate threat is automatically authorized, subject to applicable law and government regulations.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-470.1 – SMALL UNMANNED AERIAL VEHICLE (UAV) FLIGHT

Authority	Vice President for Academic Affairs/CAO
Effective Date	June 15, 2022
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	Federal Aviation Administration Code of Federal Regulations Title 14 Part 107 – Small Unmanned Aircraft System

LIMITED ACADEMIC USE

- UAV refers to an unmanned aircraft weighing less than 55 pounds on takeoff, including everything that is on board or otherwise attached to the aircraft.
- UAV flight operations are limited to instructors and students in credit courses.
- The indoor use of UAVs is prohibited.
- UAVs shall not be used to monitor or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms.
- The College Administrative Services office shall maintain the registration of College UAV with the Federal Aviation Administration (FAA).

UAV OPERATIONS

Instructors

- Instructors must possess FAA “Remote Pilot Airman Certificate” with all appropriate ratings to operate the UAV in the instructional environment.
- Instructors must be qualified to operate the UAV under a Commercial Certificate of Authorization (COA) or Low Altitude Authorization and Notification Capability (LAANC).
- Instructors must operate the UAV in accordance with all Districts Mutual Insurance (DMI) operating limitations.

Students

- All students operating the UAV must be enrolled in a course providing appropriate levels of UAV operations training and supervised by a qualified instructor.
- At all times during the course, instructors and students shall operate in accordance with FAA Title 14 CFR Part 107 and DMI operating limitations.

INSTRUCTIONAL UAV OPERATION GUIDELINES

- Janesville and Monroe Campus are in Controlled Airspace. Instructors must receive appropriate FAA authorization to fly in Controlled Airspace.

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- Instructors and students shall follow all applicable FAA regulations and Safety Guidelines (CFR Title 14 Part 107) which include, but are not limited to:
 - Wear eye protection.
 - Wear cut-resistant gloves.
 - Create a 10-foot safety zone around the launch and landing location.
 - Conduct a preflight inspection of the drone by a pilot.
 - Fly no higher than 400 feet.
 - Fly no faster than 100 mph.
 - Always keep craft within eyesight, Unaided by any sight device other than corrective lenses.
 - Remain clear of and avoid manned craft, must yield right of way.
 - Do not fly over unprotected people, highways, or moving vehicles.
 - Remain at least 25 feet away from people and vulnerable property.
 - Fly no closer than two (2) nautical miles from a heliport.
 - Daylight only, Twilight with proper lighting.
 - Do not fly in adverse weather such as high winds or reduced visibility (At least three (3) miles).
 - Obtain a Commercial Certificate of Authorization (COA) or Low Altitude Authorization and Notification Capability (LAANC) from the FAA.
 - Do not fly under the influence of alcohol or drugs.

UAV OPERATING RECORDS

- Instructors shall document each flight, including pre and post-flight inspection checklists.
- Instructors shall maintain maintenance and repair logs for each UAV.
- All UAV flight records and maintenance logs must be retained by the authorized academic program for the operating life of the UAV.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-500 – COMMUNICABLE DISEASE CONTROL AND REPORTING

Authority	Vice President of Finance and College Operations/CFO
Effective Date	April 19, 1989
Revision Date(s)	December 14, 2022; January 16, 2008; October 19, 2005; March 20, 2002
Reviewed Date(s)	September 4, 2018; January 20, 2010
Related Forms	
Related Policies and/or Procedures	
In Compliance With	Wisconsin Statutes 252.05(3) Wisconsin Administrative Code HFS 145 with Appendix A

Wisconsin Statutes, Chapter 252, outlines the state's directives regarding the prevention, control, and reporting of communicable diseases. Specifically, Wisconsin Statutes 252.05(3) requires anyone having knowledge or reason to believe that a person has a communicable disease to report the facts to the local health officer.

Communicable diseases are defined in Wisconsin Administrative Code DHS 145, Appendix A: Communicable Diseases. This document identifies two (2) categories: Category 1 which requires urgent action to report the facts immediately (within 24 hours) to local health officials and Category 2 which requires that the local health officer be notified of the facts within 72 hours.

The College recognizes its responsibility for the prevention, control, and reporting of communicable diseases. As such, the College will practice appropriate safe and sanitary standards to prevent and control the spread of communicable diseases. Whenever the College suspects or becomes aware of a potential communicable disease all facts involved with the case will be reported to local health officials immediately through the Office of Campus Safety and Security. Any suspected case of a communicable disease shall be regarded as an actual case until proven otherwise, and all rules and directions from local health officials shall be followed.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-610 – INFORMATION TECHNOLOGY

Authority	Vice President of Finance and College Operations/CFO
Effective Date	June 2, 2021
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	17 U.S. Code Sections 101 et seq.

Students, employees, and visitors who use college computers and networks, the information they contain, and related resources have a responsibility not to abuse those resources and to respect the rights of others. The President/District Director shall establish procedures that provide guidelines to students, employees, and visitors for the appropriate use of information technologies. The procedures shall include that users must respect software copyrights and licenses, respect the integrity of computer-based information resources, refrain from seeking to gain unauthorized access and respect the rights of other computer users.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-610.1 – COMPUTER AND NETWORK USE

Authority	Vice President of Finance and College Operations/CFO
Effective Date	May 13, 2002
Revision Date(s)	June 2, 2021; June 19, 2019; September 4, 2018; January 11, 2010; July 23, 2007; November 24, 2004; March 29, 2004
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	C-370 – Employee Code of Conduct D-554 – Procurement E-610 – Information Technology E-610.2 – Software Licensing and Installation on College Computers E-610.3 – Computer Security J-850 – Student Code of Conduct J-850.1 – Student Discipline
In Compliance With	15 U.S. Code Sections 6801 et seq. 17 U.S. Code Sections 101 et seq. 16 Code of Federal Regulations Parts 314.1 et seq. Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, 45

The College's computer and network systems are the sole property of the College. They may not be used by any person without the proper authorization of the College. The computer and network systems are for college instructional and work-related purposes.

This Procedure applies to all college students, faculty, staff, and others granted use of college information resources. This Procedure refers to all college information resources whether individually controlled or shared, stand-alone or networked. It applies to all computer and computer communication facilities owned, leased, operated, or contracted by the College. This includes personal computers, workstations, mainframes, minicomputers, and associated peripherals, software, and information resources, regardless of whether used for administration, research, teaching, or other purposes.

CONDITIONS OF USE

Individual units within the College may define additional conditions of use for information resources under their control. These statements must be consistent with this overall procedure but may provide additional detail, guidelines, or restrictions.

LEGAL PROCESS

This Procedure exists within the framework of the College's District Board policy and state and federal laws. A user of college information resources who is found to have violated any of these policies will be subject to disciplinary action up to and including but not limited to loss of information resources privileges; disciplinary suspension or termination from employment or expulsion; or civil or criminal legal action.

E-610.1 – COMPUTER AND NETWORK USE

COPYRIGHTS AND LICENSES

Computer users must respect copyrights and licenses to software and other online information.

Software: Software must be procured In Compliance With [Policy D-554 – Procurement](#) and its installation and use in accordance with [Procedure E-610.2 – Software Licensing and Installation on College Computers](#).

Copying: Software protected by copyright may not be copied except as expressly permitted by the owner of the copyright or otherwise permitted by copyright law. Protected software may not be copied into, from, or by any college facility or system, except pursuant to a valid license or as otherwise permitted by copyright law.

Copyrights: In addition to software, all other copyrighted information (text, images, icons, programs, etc.) retrieved from computer or network resources must be used in conformance with applicable copyright and other laws. Copied material must be properly attributed. Plagiarism of computer information is prohibited in the same way that plagiarism of any other protected work is prohibited.

INTEGRITY OF INFORMATION RESOURCES

Computer users must respect the integrity of computer-based information resources.

Computer Security: When logged onto the College computer network, computer users are responsible for ensuring the security of the computer resources, including never providing access to unauthorized users and ensuring that workstations are not left unsecured.

Academic Privilege: In recognition of the unique requirements of certain educational programs, some faculty desktops/laptops are imaged with the default setting allowing certain elevated administrative rights. Settings on those faculty computers may enable the following privileges, rights, and functions at the local desktop/laptop level.

- Installation and/or modification of programs, including those supporting peripheral and systems devices on the local hard drive.
- Ability to configure and connect to various resources including printers, scanners, fax machines, date, time, and power options, and other mobility resources on the computer.
- Ability to stop and start system services that are not started by default on local machines.
- Installation of programs that do not modify operating system files or install system services on local machines.

The College will not support any hardware or software that is self-installed/loaded per the elevated administrative rights noted above. Employees exercising the above administrative rights are responsible for all backup and recovery of locally stored files, programs, and settings. The above rights do not alleviate employees' responsibilities to ensure that all software is properly licensed and stored in the Information Technology Services (ITS) department. If the exercise of the above rights results in a computer malfunction or interferes with normal work-related tasks or slowness or loss of performance to the College network, ITS staff may re-image the employee's computer to eliminate the offending software or settings.

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Employees are responsible for any self-installed/loaded software that may be removed during this process.

Modification or Removal of Equipment: Computer users must not attempt to modify or remove computer equipment, software, or peripherals that are owned by others without proper authorization.

Unauthorized Use: Computer users must not interfere with other's access and use of the College computers. This includes but is not limited to: the sending of chain letters or excessive messages, either locally or off-campus; printing excess copies of documents, files, data, or programs, running grossly inefficient programs when efficient alternatives are known by the user to be available; unauthorized modification of system facilities, operating systems, or disk partitions; attempting to crash or tie up a college computer or network; and damaging or vandalizing college computing facilities, equipment, software or computer files.

- Computer users shall not knowingly access, create, save, view, print, or download defamatory, abusive, obscene, pornographic, profane, sexually-oriented, racially offensive, or any biased, discriminatory, or illegal material not specifically related to an approved work activity.
- Computer users shall not encrypt files or take other steps to block access to files unless specifically required to protect confidential or sensitive information related to a college activity or requirement. Computer users shall not probe, scan, capture data, or test security. Unauthorized possession or use of special tools for cracking security is prohibited.

Unauthorized Programs: Computer users must not intentionally develop or use programs that disrupt other computer users, or which access private or restricted portions of the system, or which damage the software or hardware components of the system. Computer users must ensure that they do not use programs or utilities that interfere with other computer users or that modify normally protected or restricted portions of the system or user accounts. The use of any unauthorized or destructive program will result in disciplinary action as provided in this procedure and may further lead to civil or criminal legal proceedings.

- Computer users may not install personal security software or password protection schemes that prevent ITS technicians from accessing installed software on the network or local machines.

UNAUTHORIZED ACCESS

Computer users must not seek to gain unauthorized access to information resources and must not assist any other persons to gain unauthorized access. Unauthorized use of equipment or data or suspected violation of college computer usage policies should be reported to the IT Director.

Abuse of Computing Privileges: Users of college information resources must not access computers, computer software, computer data, information, or networks without proper authorization, or intentionally enable others to do so, regardless of whether the computer, software, data, information, or network in question is owned by the College. For example, abuse of the networks to which the College belongs or the computers at other sites connected to those networks will be treated as an abuse of college computing privileges.

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Reporting Problems: Any defects discovered in system accounting or system security must be reported promptly to the appropriate system administrator so that steps can be taken to investigate and solve the problem.

Password Protection: A computer user who has been authorized to use a password-protected account may be subject to both civil and criminal liability if the user discloses the password or otherwise makes the account available to others without the permission of the system administrator.

Usage: Computer users must respect the rights of other computer users. Attempts to circumvent these mechanisms to gain unauthorized access to the system or to another person's information are a violation of college procedure and may violate applicable law.

Unlawful Messages: Users may not use electronic communication facilities to send defamatory, fraudulent, harassing, obscene, threatening, or other messages that violate applicable federal, state, or other law or college policy, or which constitute the unauthorized release of confidential information.

Commercial Usage: Electronic communication facilities may not be used to transmit commercial or personal advertisements, solicitations, or promotions (see Commercial Use, below).

Information Belonging to Others: Users must not intentionally seek or provide information on, obtain copies of, or modify data files, programs, or passwords belonging to other users, without the permission of those other users.

Rights of Individuals: Users must not release any individual's (student, faculty, or staff) personal information to anyone without proper authorization.

User Identification: Users shall not send communications or messages anonymously or without accurately identifying the originating account or station.

Political, Personal, and Commercial Use: The College is a non-profit, tax-exempt organization and, as such, is subject to specific federal, state, and local laws regarding sources of income, political activities, use of property, and similar matters.

Political Use: College information resources must not be used for partisan political activities where prohibited by federal, state, or other applicable laws.

Personal Use: College information resources should not be used for personal activities not related to College functions, except in a purely incidental manner. If the College otherwise grants access to the College's email system for personal use, employees may use the College email system to engage in protected concerted activity during non-work time.

Commercial Use: College information resources should not be used for commercial purposes. Users also are reminded that the .edu domain on the Internet has rules restricting or prohibiting commercial use, and users may not conduct activities not authorized within those domains.

E-610.1 – COMPUTER AND NETWORK USE

NONDISCRIMINATION

All users have the right to be free from any conduct connected with the use of college networks and computer resources which discriminates against any person on the basis of sex or gender, national origin, religion, age, gender identity, race, color, genetic information, sexual orientation, physical or mental disability, military and veteran status, and pregnancy.

No user shall use the College network and computer resources to transmit any message, create any communication of any kind, or store information that violates any college procedure regarding discrimination or harassment, or which is defamatory or obscene, or which constitutes the unauthorized release of confidential information.

DISCLOSURE

No Expectation of Privacy: The College reserves the right to monitor all use of the College network and computer to assure compliance with these policies. Users should be aware that they have no expectation of privacy in the use of the College network and computer resources. The College will exercise this right only for legitimate college purposes, including but not limited to ensuring compliance with this procedure and the integrity and security of the system.

Possibility of Disclosure: Users must be aware of the possibility of unintended disclosure of communications.

Retrieval: It is possible for information entered on or transmitted via computer and communications systems to be retrieved, even if a user has deleted such information.

Litigation: Computer transmissions and electronically stored information may be discoverable in litigation.

Dissemination and User Acknowledgment

All users shall be provided copies of these procedures and be directed to familiarize themselves with them.

A “pop-up” screen addressing the e-mail portions of these procedures shall be installed on all e-mail systems. The “pop-up” screen shall appear before accessing the e-mail network. Users shall sign and date the acknowledgment and waiver included in this procedure stating that they have read and understand this procedure and will comply with it. This acknowledgment and waiver shall be in the form as follows:

Computer And Network Use Agreement (Sample Language)

I have received and read a copy of the College Computer and Network Use Procedures and this Agreement and recognize and understand the guidelines. I agree to abide by the standards set in the Procedures for the duration of my employment or enrollment. I am aware that violations of this Computer and Network Usage Procedure may subject me to disciplinary action, including but not limited to revocation of my network account up to and including prosecution for violation of state or federal law.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-610.2 – SOFTWARE LICENSING AND INSTALLATION ON COLLEGE COMPUTERS

Authority	Vice President of Finance and College Operations/CFO
Effective Date	May 13, 2002
Revision Date(s)	June 2, 2021; September 4, 2018; January 11, 2010; July 23, 2007; March 29, 2004
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	D-554 – Procurement E-610.1 – Acceptable Use of College Computer Equipment and Systems E-610.3 – Computer Security
In Compliance With	Federal Rules of Civil Procedure

All college software must be procured in accordance with **Policy D-554 – Procurement**. Users may not install personally owned software to information technology resources owned by the College (including media players, screensavers, games, etc.). The original copy of the software must be on file in the Information Technology Services Department (ITS) before installation. ITS shall maintain records of commercial licenses and GNU General Public software licenses installed on all college computers.

ITS staff are the only persons authorized to copy or install software programs to network servers. The installation of freeware, shareware, open source, and trial programs will not be permitted on District computers unless previously approved by the appropriate Dean and the IT Director. When illegal or un-authorized software is found it will be removed by ITS staff.

The College will not install or support software from competing vendors that provide the same function as college-licensed and supported software (e.g., installing a virus protection package different than the College-supported package).

The College reserves the right to track and remove Peer-to-Peer applications for sharing files and bandwidth exploitation. Such applications may infringe on copyright material and can be used to gain unauthorized access to college network services. Anyone who reinstalls software that has been removed by ITS staff may lose privileges to access the College's computer systems or may be subject to disciplinary action in accordance with district policies.

Purchase of the appropriate number of software licenses is required to maintain legal compliance. It is illegal to copy a software program and install that single program for simultaneous use on multiple machines. Licenses must be applied in accordance with the software vendors' licensing practices. Using college equipment to make illegal copies of software is prohibited. The College forbids, under any circumstances, the unauthorized reproduction of software or use of illegally obtained software.

E-610.2 – SOFTWARE LICENSING AND INSTALLATION ON COLLEGE COMPUTERS

College employees and students are required to adhere to any specific conditions or restrictions required by licensing agreements for software programs purchased with college funds. Proper licensing, vendor support, and compatibility testing are required to provide the best possible computing experience in college computer labs, classrooms, and employee workstations.

Installation and testing of new software and upgrades to existing software in instructional labs and classrooms require significant lead time for proper evaluation and testing. New software and software upgrade requirements should be determined during curriculum and business planning cycles to meet budget development and approval deadlines. Software media must be delivered to ITS for package development, testing, and deployment at least six (6) weeks before the required use date. Deployment of enterprise software and other complex software may take more than six (6) weeks for package development and testing. Mid-semester software upgrades and installations are strongly discouraged due to potential compatibility issues that can cause application or system failures during classes. Software deployment cannot negatively impact student learning; therefore, all instructional software will undergo thorough technical testing by ITS and operation testing by the appropriate stakeholders before deployment. Special situations will be addressed individually and must be approved by the appropriate Dean and IT Director. Software purchases and installation requests must be made in accordance with the procedures and forms established by the College as posted on the College Intranet.



BLACKHAWK TECHNICAL COLLEGE

SECTION E – GENERAL INSTITUTION

PROCEDURE

E-610.3 – INFORMATION SECURITY

Authority	Vice President of Finance and College Operations/CFO
Effective Date	March 29, 2004
Revision Date(s)	June 2, 2021; June 19, 2019; September 4, 2018; January 11, 2010; July 23, 2007
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	C-370 – Employee Code of Ethics E-610.1 – Acceptable Use of College Computer Equipment and Systems E-610.2 – Software Licensing and Installation on College Computers J-850 – Student Code of Conduct J-850.1 – Student Discipline
In Compliance With	15 U.S. Code Sections 6801 et seq. 17 U.S. Code Sections 101 et seq. 16 Code of Federal Regulations Parts 314.1 et seq. FERPA, PCI Data Security

Information security affects all facets of the College. The College’s Information Security Program (ISP) is intended to protect the confidentiality, integrity, and availability of the data employed within the organization while providing value to the way we conduct business. Protection of confidentiality, integrity, and availability are basic principles of information security and can be defined as:

Confidentiality: Ensuring that information is accessible only to those entities that are authorized to have access, many times enforced by the classic “need-to-know” principle.

Integrity: Protecting the accuracy and completeness of information and the methods that are used to process and manage it.

Availability: Ensuring that information assets (information, systems, facilities, networks, and computers) are accessible and usable when needed by an authorized entity.

The College recognizes that information is a critical asset and as such our ability to manage, control, and protect this asset will have a direct and significant impact on our future success.

The President/District Director designates the Director of Information Technology Services (ITS) as the College’s Information Security Officer and hereby delegates authority to this position to ensure compliance with applicable information security requirements.

This document establishes the framework from which the ISP will be developed to ensure that the College can efficiently and effectively manage, control, and protect its business and student information assets and those information assets entrusted to the College by its stakeholders, partners, customers, and other third parties.

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The ISP shall describe the actions and behaviors required to ensure that due care is taken to avoid inappropriate risks to the college, students, business partners, and stakeholders. It must ensure oversight of service providers, by taking reasonable steps to select and retain service providers that can maintain appropriate safeguards for the customer information at issue; and requiring the College's service providers to be contractually bound to implement and maintain such safeguards.

The ISP shall ensure the identification of reasonably foreseeable internal and external risks to the security, confidentiality, and integrity of customer information that could result in the unauthorized disclosure, misuse, alteration, destruction, or other compromise of such information, and assess the sufficiency of any safeguards in place to control these risks. At a minimum, the risk assessment must include consideration of risks in each relevant area of the College's operations, including:

- Employee training and management.
- Information systems, including network and software design, as well as information processing, storage, transmission, and disposal.
- Detecting, preventing, and responding to attacks, intrusions, or other systems failures.

The ISP safeguards must be designed and implemented to control the risks the College identifies through risk assessment, and regularly test or otherwise monitor the effectiveness of the safeguards' key controls, systems, and procedures.

The Information Security Officer shall routinely evaluate and update the College's ISP in light of the results of the testing and monitoring required; any material changes to the College's operations or business arrangements; or any other circumstances that the College knows or has reason to know may have a material impact on the College's information security program.

APPLICABILITY

The ISP shall apply equally to any individual, entity, or process that interacts with any College Information Resource.

RESPONSIBILITIES

- Executive Management
 - Ensure that an appropriate risk-based ISP is implemented to protect the confidentiality, integrity, and availability of all Information Resources collected or maintained by or on behalf of the College.
 - Ensure that information security processes are integrated with strategic and operational planning processes to secure the organization's mission.
 - Ensure adequate information security financial and personnel resources are included in the budgeting and/or financial planning process.
 - Ensure that the Security Team is given the necessary authority to secure the Information Resources under their control.
 - Ensure that the Information Security Officer, in coordination with the Security Team, reports annually to Executive Management on the effectiveness of the College's ISP.
 - Lead the Security Team and provide updates on the status of the ISP to Executive Management.

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- Manage compliance with all relevant statutory, regulatory, and contractual requirements.
- Participate in information security-related forums, associations, and special interest groups.
- Assess risks to the confidentiality, integrity, and availability of all information resources collected or maintained by or on behalf of the College.
- Facilitate the development and adoption of supporting policies, procedures, standards, and guidelines for providing adequate information security and continuity of operations.
- Ensure the College has trained all personnel to support compliance with information security policies, processes, standards, and guidelines. Train and oversee personnel with significant responsibilities for information security with respect to such responsibilities.
- Ensure that appropriate information security awareness training is provided to company personnel, including contractors.
- Develop and maintain a process for planning, implementing, evaluating, and documenting remedial action to address any deficiencies in the information security policies, procedures, and practices at the College.
- Develop and implement procedures for testing and evaluating the effectiveness of the College's ISP in accordance with stated objectives.
- Develop and implement a process for evaluating risks related to vendors and managing vendor relationships.
- Report annually, in coordination with the Security Team, to Executive Management on the effectiveness of the College's ISP, including the progress of remedial actions.
- Information Security Team
 - Ensure compliance with applicable information security requirements.
 - Formulate, review, and recommend information security policies.
 - Approve supporting procedures, standards, and guidelines related to information security.
 - Provide clear direction and visible management support for information security initiatives.
 - Assess the adequacy and effectiveness of the information security policies and coordinate the implementation of information security controls.
 - Ensure that ongoing security activities are executed In Compliance With policy.
 - Review and manage the information security policy waiver request process.
 - Review information security incident information and recommend follow-up actions.
 - Promote information security education, training, and awareness throughout the college, and initiate plans and programs to maintain information security awareness.
- All Employees, Contractors, and Other Third-Party Personnel
 - Understand their responsibilities for complying with the College's Information Security Program.
 - Use College information resources In Compliance With all Information Security policies.
 - Seek guidance from the Information Security Officer for questions or issues related to information security.

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COMMUNICATION

The College shall maintain and communicate the Information Security Program consisting of topic-specific policies, standards, procedures, and guidelines that:

- Serve to protect the Confidentiality, Integrity, and Availability of the Information Resources maintained within the organization using administrative, physical, and technical controls.
- Provide value to the way we conduct business and support institutional objectives.
- Comply with all regulatory and legal requirements, including:
 - FERPA.
 - State breach notification laws.
 - PCI Data Security Standard.
 - Information Security best practices, including NIST CSF.
 - Contractual agreements.
 - All other applicable federal and state laws or regulations.
 - The information security program is reviewed no less than annually or upon significant changes to the information security environment.

DEFINITIONS

Cloud Computing Application: Cloud computing is the practice of using a network of remote servers hosted on the Internet to store, manage, and process data, rather than a local server or a personal computer. Common examples of cloud computing applications are Dropbox, Facebook, Google Drive, Salesforce, and Box.com.

Confidential Information: Confidential information is information protected by statutes and regulations; or is identified as confidential in college policies or contractual language and not otherwise subject to Wisconsin Public Records disclosure. Confidential information is sensitive, and access is restricted. Disclosure is limited to individuals on a “need-to-know” basis only. Disclosure to parties outside of the College must be authorized by executive management, approved by the Director of Information Technology and/or College General Counsel, or covered by a binding confidentiality agreement.

Examples of confidential information include:

- College data shared and/or collected during a consulting engagement.
- Financial information, including credit card and account numbers.
- Social Security Numbers.
- Personnel and/or payroll records.
- Any information identified by government regulation is to be treated as confidential or sealed by order of a court of competent jurisdiction.
- Any information belonging to the College that may contain personally identifiable information.
- Patent information.

Incident – An incident can have one or more of the following definitions:

- Violation of an explicit or implied College security policy.
- Attempts to gain unauthorized access to a college information resource.
- Denial of service to a college information resource.
- Unauthorized use of college information resources.

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- Unauthorized modification of college information.
- Loss of college confidential or protected information.

Information Resource: An asset that, like other important business assets, is essential to an organization's business and consequently needs to be suitably protected. Information can be stored in many forms, including hardware assets (e.g., workstation, server, laptop) digital form (e.g., data files stored on electronic or optical media), material form (e.g., on paper), as well as unrepresented information in the form of knowledge of the employees. Information may be transmitted by various means including courier, electronic or verbal communication. Whatever form information takes, or how the information is transmitted, it always needs appropriate protection.

Internal Information: Internal Information is information that must be guarded due to proprietary, ethical, or privacy considerations and must be protected from unauthorized access, modification, transmission, storage, or other use. This classification applies even though there may not be a civil statute requiring this protection. Internal Information is information that is restricted to personnel designated by Executive Leadership, as persons who have a legitimate business purpose for accessing such Information.

Examples of Internal Information include:

- Employment Information.
- Business partner information where a restrictive confidentiality agreement exists.
- Planning documents.

Mobile Device: Computing devices that are intended to be easily moved and/or carried for the convenience of the user, and to enable computing tasks without respect to location. Mobile devices include, but are not necessarily limited to mobile phones, smartphones, tablets, and laptops.

Penetration Test: A highly manual process that simulates a real-world attack situation to identify how far an attacker would be able to penetrate an environment.

Personally Owned: Systems and devices that were not purchased and are not owned by the College.

Public Information: Public information is information that may or must be open to the general public. It is defined as information with no existing local, state, national, or international legal restrictions on access or usage. Public information, while subject to disclosure rules, is available to all employees and all individuals or entities external to the College.

Examples of public information include:

- Publicly posted press releases.
- Publicly available marketing materials.
- Publicly posted job announcements.

Removable Media: Portable devices that can be used to copy, save, store, and/or move Information from one system to another. Removable media comes in various forms that

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include, but are not limited to, USB drives, flash drives, read/write CDs and DVDs, memory cards, external hard drives, and mobile phone storage.

Vulnerability Scan: A vulnerability scan is an automated tool run against external and internal network devices and servers, designed to expose potential vulnerabilities that could be found and exploited by malicious individuals.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-700 – IDENTITY THEFT PREVENTION

Authority	Vice President of Finance and College Operations/CFO
Effective Date	February 17, 2010
Revision Date(s)	April 26, 2023; November 20, 2018
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	15 U.S. Code Section 1681m(e) FTC Fair and Accurate Credit Transactions Act, Section 114

The College shall have an Identity Theft Prevention Program pursuant to the Federal Trade Commission's Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. The Program shall be designed to detect, prevent, and mitigate identity theft in connection with a covered account and to provide for continued administration of the Program. The Program shall include reasonable policies and procedures to:

- Identify relevant red flags for covered accounts and incorporate those red flags into the program.
- Detect red flags that have been incorporated into the Program.
- Respond appropriately to any red flags that are detected to prevent and mitigate identity theft.
- Ensure the Program is updated periodically to reflect changes in risks to students and to protect the safety and soundness of the creditor from identity theft.

While reasonable efforts will be made to detect, prevent, and mitigate identity theft, the College makes no representations or warranties that the Program will ensure the absence of identity theft or prevent financial losses. All warranties against loss, either express or implied, are hereby disclaimed. Furthermore, the College will not be liable for any damages, whether direct, indirect, or consequential.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-700.1 – IDENTITY THEFT PREVENTION

Authority	Vice President of Finance and College Operations/CFO
Effective Date	February 22, 2010
Revision Date(s)	April 26, 2023; November 20, 2018
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-700 – Identity Theft Prevention
In Compliance With	15 U.S. Code Section 1681m(e) FTC Fair and Accurate Credit Transactions Act, Section 114

The purpose of this Identity Theft Prevention Program (ITPP) is to control reasonably foreseeable risks to students from identity theft, by providing for the identification, detection, and response to patterns, practices, or specific activities (“Red Flags”) that could indicate identity theft.

DEFINITIONS

Identity Theft – Is a fraud attempted or committed using the identifying information of another person without authority.

Creditor – Includes government entities who defer payment for goods (for example, payment plans for bookstore accounts or parking tickets), issued loans, or issued student debit cards. Government entities that defer payment for services provided are not considered creditors for purposes of this ITPP.

Deferring Payments – Refers to postponing payments to a future date and/or installment payments on fines or costs.

Covered Account – Includes one that involves multiple payments or transactions.

Person – Means any individual who is receiving goods or services from the College and is making payments on a deferred basis for said goods or services.

Red Flag – A red flag is a pattern, practice, or specific activity that indicates the possible existence of identity theft.

Detection or discovery of a “Red Flag” implicates the need to act under this ITPP to help prevent, detect, and correct identity theft.

Program Administrator – The program administrator is the College employee responsible for the development, implementation, and update of this program.

E-700.1 – IDENTITY THEFT PREVENTION

Program Coordinators – Program coordinators are the College employees with supervisory responsibility for an organizational unit in which activities associated with covered accounts occur (i.e., admissions, student records, financial aid, business office, information technology support services, etc.).

PROGRAM ADMINISTRATION

Oversight

The Director of Financial Services will serve as the Program Administrator and is responsible for developing, implementing, and updating this program. The Program Administrator will be responsible for ensuring appropriate training of Program Coordinators on the program, reviewing any staff reports regarding the detection of red flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in various circumstances and considering periodic changes to the program.

Staff Training and Reports

Program Coordinators responsible for implementing the Program shall be trained, as necessary, in the detection of red flags and the responsive steps to be taken when a red flag is detected. Program Coordinators are expected to notify the Program Administrator once they become aware of an incident of identity theft or of the College's failure to comply with this program. At least annually, Program Coordinators responsible for the implementation and administration of the program shall report to the Program Administrator on compliance with this program. The report should address such issues as the effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening and maintenance of covered accounts, service provider agreements, significant incidents involving identity theft and management's response, and recommendations for changes to the program.

Service Provider Arrangements

In the event the College engages a service provider to perform an activity in connection with one or more covered accounts, the College will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.

- Require, by contract, that service providers have such policies and procedures in place.
- Require, by contract, that service providers review the College's program and report any red flags to the Program Administrator.

The College has identified State Collection Services and Wisconsin TRIP program as types of accounts that fall under the definition of service provider-covered accounts.

Specific Program Elements and Confidentiality

For the effectiveness of this Identity Theft Prevention Program, knowledge about specific red flag identification, detection, mitigation, and prevention practices may need to be limited to the employee who developed this program and to those employees with a need to know them. Any documents that may have been produced or are produced to develop or implement this program that lists or describe such specific practices and the information those documents contain are considered "confidential" and should not be shared with other college employees or the public, to the extent permitted by law. The Program Administrator shall inform the employees with a need to know the information of those documents or specific practices that should be maintained confidentially.

E-700.1 – IDENTITY THEFT PREVENTION

Program Updates

The Program Administrator will periodically review and update this program to reflect changes in risks to students and the soundness of the College from identity theft. In doing so, the Program Administrator will consider the College's experiences with identity theft situations, changes in identity theft methods, changes in identity theft detection and prevention methods, and changes in the College's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the program, including the list of red flags, are warranted. If warranted, the Program Administrator will update the program.

Incident Documentation

The Program Administrator will keep detailed files on all incidences where there have been actual identity thefts, attempts at identity thefts, or suspicions of identity thefts. These files will, at a minimum, provide a complete description of the incident, procedures taken to determine any harm caused to the student involved, any procedures taken to prevent and mitigate identity theft, and procedures taken to monitor activity in the student's account to ensure that no further compromise to the student's information occurred. These documents will be used for the evaluation of the effectiveness of this policy and provide appropriate changes to the College's Red Flag Policy. These documents will remain on file for a minimum of five (5) years.

Disclaimer

While reasonable efforts will be made to detect, prevent, and mitigate identity theft, the College makes no representations or warranties that the program described above will ensure the absence of identity theft or prevent financial losses. All warranties against loss, either express or implied, are hereby disclaimed. Furthermore, the College will not be liable for any damages, whether direct, indirect, or consequential.

PROCEDURES

Identification of Red Flags

The following risk factors will be used to identify relevant Red Flags for covered accounts:

- The types of covered accounts as identified above.
- The methods provided to open covered accounts include gathering information such as:
 - Admissions application and registration with personally identifying information.
 - FAFSA application for financial aid assistance.
 - High school transcripts, GED, HSED, or other equivalent documents.
 - Official test scores, such as ACT, SAT, COMPASS, ACCUPLACER, and TABE.
 - Letters of recommendation.
 - Entrance medical record.
 - Criminal background check information.
 - Military Service Records.
 - Residency documents, such as Visa, I-9, I-551, etc.
 - Financial status documentation.
 - Post-secondary transcripts.

- The methods used to access covered accounts, include gathering the following information:

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- Disbursement requests obtained in person require picture identification.
- Disbursement requests obtained by mail can only be mailed to an address on file.
- Disbursement requests obtained by the Internet require a previously authorized password.
- The College's previous history of identity theft.

The following Red Flags will be considered:

- Notifications and Warnings from Consumer Reporting Agencies.
 - Report of fraud accompanying a consumer reporting agency report.
 - Notice of report from a consumer reporting agency of a credit freeze.
 - Notice or report from a consumer reporting agency of an active-duty alert.
 - Receipt of a notice of address discrepancy in response to a consumer reporting agency report request.
 - Indication from a consumer reporting agency report of activity that is inconsistent with usual pattern or activity.
- Suspicious Documents
 - Identification document or card that appears to be forged, altered, or inauthentic.
 - The photograph or physical description on the identification is not consistent with the appearance of the student presenting the identification.
 - A request for service that appears to have been altered or forged.
 - A request was made from a non-college-issued e-mail account.
 - A request to mail something to an address not listed on the file.
 - A request to reset a password.
- Suspicious Identifying Information
 - Identifying information presented that is inconsistent with other information the student provides such as inconsistent birth dates, and different signatures.
 - Identifying information presented that is inconsistent with other sources of information such as an address mismatch on personal documents.
 - Identifying information presented that is the same information shown on other applications that were found to be fraudulent.
 - Identifying information presented that is consistent with fraudulent activity such as an invalid phone number or fictitious billing address.
 - The social security number presented is the same as one given by another person.
 - Failure to provide complete personal identifying information on a deferred payment plan when reminded to do so.
 - Identifying information that is not consistent with the information that is on file for the student.
- Suspicious Account Activity
 - Account used in a way that is not consistent with prior use.
 - Mail sent to a student that is repeatedly returned as undeliverable although transactions continue in connection with the student's covered account.
 - Notice to the College that a student is not receiving mail sent by the College.
 - Notice to the College that an account has unauthorized activity.
 - A breach in the College's computer security system.
 - Unauthorized access to or use of student account information.
 - Numerous unsuccessful attempts to gain computer access to a student's account.

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- Alerts from Others
 - Notice to the College from a student, identity theft victim, law enforcement, or other persons that the College has opened or is maintaining a fraudulent account for a person engaged in identity theft.

DETECTION OF RED FLAGS

Student Enrollment

To detect any of the Red Flags identified above associated with the enrollment of a student, college personnel will take the following steps to obtain and verify the identity of the person opening the account:

1. Require certain identifying information such as name, date of birth, academic records, home address, or other identification.
2. Verify the student's identity at the time of issuance of the student identification card by reviewing government-issued photo identification or other personally identifiable information to confirm domicile such as a utility bill, tax return, bank statement, school transcript, or pay stub.
3. Require student-selected personal information to be used for resetting a computer access password.

Existing Accounts

To detect any of the Red Flags identified above for an existing covered account, College personnel will take the following steps to monitor transactions on an account:

1. Verify the identification of students if they request information in person, via telephone, via facsimile, or email.
2. Verify the validity of requests to change billing addresses by mail or email and provide the student with a reasonable means of promptly reporting incorrect billing address changes.
3. Verify changes in banking information given for billing and payment purposes.
4. Verify student-selected personal information before resetting passwords.

PREVENTING AND MITIGATING IDENTITY THEFT

When a Red Flag is triggered, personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

Protect and Prevent Student-Identifying Information

To further prevent the likelihood of identity theft occurring with respect to covered accounts, the College will take the following steps with respect to its internal operating procedures to protect student identifying information:

- Ensure that its website is secure or provide clear notice that the website is not secure.
- Ensure complete and secure destruction of paper documents and computer files containing student account information when a decision has been made to no longer maintain such information.
- Ensure that office computers with access to covered account information are password protected.
- Avoid the use of social security numbers.
- Ensure computer virus protection is up to date.

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- Require and keep only the kinds of student information that are necessary for college purposes.
- Automatic lock-out for computers.
- Ensure secured access to imaged documents.
- Require student's previously selected personal information to be provided before resetting computer access passwords.

Mitigate

- Continue to monitor a covered account for evidence of identity theft.
- Contact the student or applicant to prove identity.
- Change any passwords or other security devices that permit access to covered accounts.
- Not open a new covered account.
- Notify the Program Administrator for determination of the appropriate step(s) to take.
- Notify law enforcement.
- Determine that no response is warranted under the circumstances.
- Provide the ability to enable FERPA block on directory information.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-750 – INSTITUTIONAL PLANNING

Authority	President/District Director
Effective Date	November 18, 2020
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	Wisconsin Technical College System Financial and Administrative Manual Wisconsin Technical College System Equal Opportunity/Affirmative Action Policies and Procedures

The President/District Director or designee shall ensure that the College has and implements a broad-based comprehensive, systematic, and integrated system of planning that involves appropriate segments of the College community and is supported by institutional effectiveness research.

The planning system shall include plans required by law, including, but not limited to:

- Equal Opportunity/Affirmative Action Five-Year Plan
- Strategic Plan
- Facility Master Plan (Three-Year Facilities Plan)
- Annual Budget Plan

The President/District Director shall submit plans to the District Board for approval.

The President/District Director shall inform the District Board about the status of planning and the various plans.

The President/District Director shall ensure the District Board has an opportunity to assist in developing the general institutional mission and goals for the comprehensive plans.

The planning system includes or addresses:

- Processes for developing, reviewing, updating, and implementing plans.
- The committees and personnel that are involved and their responsibilities and charges.
- Required approvals.
- Integration of various planning efforts.
- Use of institutional effectiveness research.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-810 – DATA REVIEW AND VERIFICATION

Authority	Executive Director of Institutional Research and Effectiveness
Effective Date	September 7, 2016
Revision Date(s)	December 9, 2020
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	

The College strives to ensure, and document reported data and results are what they purport to be and accurately and appropriately address the intended purpose. The College evaluates the completeness, correctness, and conformance/compliance of specific data in relation to the intended purpose. If deficiencies in the data are identified, the deficiencies can be, at minimum, documented for the data users, and, where possible, corrected and resolved. To that end, the College has adopted a systematic and robust procedure for reviewing, verifying, and validating data reported for operations, decision-making, or planning purposes.



XBLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-810.1 – DATA REVIEW AND VERIFICATION

Authority	Executive Director of Institutional Research and Effectiveness
Effective Date	September 7, 2016
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-810 – Data Review and Verification
In Compliance With	

The College evaluates the completeness, correctness, and conformance/compliance of specific data in relation to the intended purpose. The goal is to ensure and document that the reported data and results are what they purport to be and accurately and appropriately address the intended purpose. If deficiencies in the data are identified, then those deficiencies can be, at minimum, documented for the data users, and, where possible, corrected or resolved.

All College staff who are responsible for collecting and/or reporting performance measures to external stakeholders need to ensure data integrity and credibility, including the interpretation of the data. It is especially important this procedure be followed prior to any submission or presentation of data related to performance measures to the District Board or external stakeholders.

DATA REVIEW AND VERIFICATION PROCEDURE

Step 1: Clarify the Intended Purpose or Question(s) to be Addressed. The first step is clarifying the intended purpose or question. This helps to clarify the type(s) of information that may be needed and can assist in determining the location and source of these records.

Criteria to consider:

- The intended purpose or question is clear and understandable, well-defined, and unambiguous.
- The intended purpose or question aligns with and is appropriate to the mission and strategic plan of the college.
- The intended purpose or question can effectively support decision-making.

If the intended purpose or question does not meet any of the following criteria, then the College staff responsible for this should obtain clarification from the requesting person(s).

Step 2: Determine Data Needs. The next step is to determine the specific data needed to address the intended purpose or question. Clearly connecting the data to the question is essential.

E-810.1 – DATA REVIEW AND VERIFICATION

There are different types of data (e.g., quantitative, or qualitative) and multiple sources of data and repositories available. Institutional Effectiveness (IE) at the College can assist as needed.

Criteria to consider:

- Data needs align to the intended purpose or question.
- Data needs are well-defined, unambiguous, and understandable to the intended audience.
- Data needs do not release confidential or otherwise protected information beyond approved audiences.
- Data needs can be sufficiently met in order to support decision-making.

Should the needed data fail to meet any of the following criteria, the College staff responsible for this should discuss the specific issue or data limitation with the requesting person(s).

Step 3: Cite Data Sources and Limitations. Appropriate and detailed citation of data sources is essential. Citation helps the intended audience to better understand the data and results being reported and increases the perceived validity and credibility. This step is not only a best practice in applied and academic research, but also supports the Data Review and Verification Procedure.

Criteria to consider:

- Data sources are well-defined, unambiguous, and understandable to the intended audience (e.g., avoid jargon, unclear terms, or acronyms, etc.).
- Sources are clearly and consistently documented, with data definitions and standards used consistently and available for review.

At times, the data will have restrictions on applicability or other limits. This is common in all fields. As such, it is important to provide appropriate data, and clearly explain any limitations that may have an impact on decision-making.

Criteria to consider:

- Any data restrictions or limitations are well-defined, unambiguous, and understandable to the intended audience (Example: The following information only pertains to students who have completed a program and should not be generalized to all students.).
- Data limitations are well-defined, including descriptions of methodologies for estimating data, the timeframes for finalizing incomplete information, and so on.
- Data that are anomalous compared to other data with similar measures are explained.
- Complementary or supplemental data sources are utilized as cross-checks when feasible.
- Data and results, even with limitations, can sufficiently support decision-making.

The key criterion is that data and results address the intended purpose or question, and support decision-making. If this cannot be met, the College staff responsible for this should share this with the requesting person(s).

Step 4: Data Review and Verification by Institutional Effectiveness. The fourth step is the review and verification by IE staff that the appropriate steps were taken in addressing the

E-810.1 – DATA REVIEW AND VERIFICATION

intended purpose or question and that accurate, reliable, and validated data and results are being provided to the intended audience.

At least two (2) weeks prior to a presentation to the District Board or external stakeholders on the identified topic areas, the presentation or report should be submitted to IE for review and verification.

Note that the materials may be due earlier than this for the District Board packet so plan accordingly.

IE staff will provide data oversight and certification which includes a thorough review of:

- Intended purpose or questions being addressed.
- Data needed to address the intended purpose or questions is appropriate and adequate.
- Appropriateness, adequacy, and accuracy of data being reported, including a source data review.
- Adequacy of citation of data sources and limitation.
- Adequacy of language, terms, tables, and figures for the intended audience.

If the presentation or report meets the criteria identified in the procedure, then IE will officially indicate on the document that the information has been reviewed and verified with the date. No further action prior to presentation or reporting will be required.

However, if the presentation or report fails to meet the criteria, IE will contact the College staff responsible to discuss the identified issues as well as any suggestions or assistance for corrections. It is the responsibility of the College staff presenting or reporting the information to make all corrections and receive IE verification prior to sharing the information.

DEFINITIONS

Data – All of the institutional information related to students, courses, and employees that is collected and analyzed for the College, State, and Federal reporting requirements.

Data Governance – The overall management of the availability, usability, integrity, and security of the data employed in an enterprise. A sound data governance program includes a governing body or council, a defined set of procedures, and a plan to execute those procedures. Adapted from “Essential Guide to Measuring a Data Quality Assurance Program.” Tech Target, 2016.

Data Integrity – Maintaining and assuring the accuracy and consistency of data over its entire life cycle, including design, implementation, and usage of any system which stores, processes, or retrieves data. Adapted from Wikipedia (Boritz, J. "IS Practitioners' Views on Core Concepts of Information Integrity". International Journal of Accounting Information Systems. Elsevier.)

Data Quality – The degree to which a set of characteristics of data fulfills requirements. Examples of characteristics are completeness, validity, accuracy, consistency, availability, and timeliness. Requirements are defined as the need or expectation that is stated, generally

E-810.1 – DATA REVIEW AND VERIFICATION

implied or obligatory. In short, data are adequate and appropriate for the intended usage in operations, decision-making, and planning. Adapted from ISO 9000. 2015.

Data Verification – The process of evaluating the completeness, correctness, and conformance/compliance of specific data in relation to the intended purpose. The goal of data verification is to ensure and document that the reported data and results are what they purport to be and accurately and appropriately address the intended purpose. When deficiencies in the data are identified, then those deficiencies should be documented for the data user's review and, where possible, resolved by corrective action. Adapted from "Guidance on Environmental Data Verification and Validation." US Environmental Protection Agency (EPA/G-8). November 2002.

Source Data Review – A "review of source documentation to check quality of source, review protocol compliance, ensure critical processes and source documentation are adequate." TransCelerate, taken from "Providing Clarity on the Definitions of Source Data Verification (SDB) and Source Data Review (SDR)". Stephen Young. August 2014.

Reliability – The degree to which an assessment, metric, or data point is consistent or produces stable results. Adapted from "Exploring Reliability in Academic Assessment." Colin Phelan and Julie Wren, University of Northern Iowa Office of Academic Assessment. (2005-06).

Validity – How well an assessment, metric, or data point measures what it is purported to measure. In addition, data are appropriate to the intended use or purpose. Adapted from "Exploring Reliability in Academic Assessment." Colin Phelan and Julie Wren, University of Northern Iowa Office of Academic Assessment. (2005-06).



XBLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-810.2 – INTEGRATED POSTSECONDARY EDUCATION DATA SYSTEM (IPEDS)

Authority	Executive Director of Institutional Research and Effectiveness
Effective Date	February 19, 2020
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	Title IV of the Higher Education Act of 1965 (20 USC 1094, Section 487(a)(17) and 34 CFR 668.14(b)(19))

IPEDS is the Integrated Postsecondary Education Data System. It is a system of interrelated surveys conducted annually by the U.S. Department of Education’s National Center for Education Statistics (NCES). IPEDS gathers information from every college, university, and technical and vocational institution that participates in Title IV federal student financial aid programs. The Higher Education Act of 1965 (HEA), as amended, requires that institutions that participate in federal student aid programs report data on enrollments and admissions, program completions, graduation rates, and outcome measures, faculty and staff, finances, institutional costs, student financial aid, and academic libraries.

Institutions are required to submit data for all survey components unless the data do not apply to them (for example, if an institution admits only graduate students, and therefore has no full-time, first-time degree/certificate-seeking undergraduate students, the Graduation Rates components would not apply).

IPEDS provides basic data needed to describe — and analyze trends in — postsecondary education in the United States, in terms of the numbers of students enrolled, financial aid used, staff employed, dollars expended, and degrees and certificates earned. Congress, federal agencies, state governments, education providers, professional associations, private businesses, media, students, parents, and others rely on IPEDS data for this basic information on postsecondary institutions.

IPEDS data are a public face of an institution. They are used by students and parents, through the College Navigator and College Affordability and Transparency websites, to aid in the College search process; at the federal, state, and local level for policy analysis and development; by institutions for benchmarking and peer analysis; and by professional associations, private businesses, and the media.

RESPONSIBILITIES

Position title(s) that have a primary role in this procedure:

- Institutional Research and Effectiveness Analyst (IPEDS Keyholder)
- Financial Aid Manager

E-810.2 – INTEGRATED POSTSECONDARY EDUCATION DATA SYSTEM (IPEDS)

- Controller
- Executive Director/CHRO, Human Resources, and Organizational Development
- Librarian

PROCEDURE

Step 1. Submit Accurate Data on Time by the Reporting Deadline

- The primary responsibility of an IPEDS keyholder is to make sure all applicable survey components are submitted accurately and on time.
- This includes entering data into the web-based IPEDS Data Collection System, running the edits resolving all edit issues and errors, and locking each component.
- All this must be completed by the time the data collection closes to keyholders.

Step 2. Manage All Aspects of Data Submission

- To submit accurate data on time, the IPEDS keyholder manages all aspects of data submission for the institution, even if others on campus complete some components/ assist by extracting the data from information systems.
- The IPEDS keyholder is responsible for making sure the other offices have all the information and materials they need (blank forms, survey instructions, upload specifications, access to the glossary, etc.).
- IPEDS keyholders may also need to arrange for others to have access to the IPEDS Data Collection System, by generating and issuing UserIDs and passwords.

Step 3. Be the Institutional Point of Contact

- The IPEDS keyholder must register in the IPEDS Data Collection System and always keep your contact information current.
- IPEDS keyholder is the institutional point of contact with NCES and will be contacted if the Help Desk or survey directors have questions about your institution's data.
- The IPEDS keyholder will also receive all prompting emails and other important notices sent out during the data collection periods.

The completion of all IPEDS surveys is mandatory for institutions that participate in or are applicants for participation in any federal student financial aid program (such as Pell grants and federal student loans) authorized by Title IV of the Higher Education Act of 1965, as amended (20 USC 1094, Section 487(a)(17) and 34 CFR 668.14(b)(19)).

DEFINITIONS

HEA – Higher Education Act of 1965.

IPEDS – Integrated Postsecondary Education Data System.

IPEDS Keyholder – The person designated by an official institutional representative to have in their possession the necessary UserID and password to gain access to the Integrated Postsecondary Education Data System (IPEDS) data collection system to complete the survey. The keyholder is responsible for entering data and locking the site by each survey completion date.

E-810.2 – INTEGRATED POSTSECONDARY EDUCATION DATA SYSTEM (IPEDS)

NCES – National Center for Education Statistics.

Postsecondary Education – The provision of a formal instructional program whose curriculum is designed primarily for students who are beyond the compulsory age for high school. This includes programs whose purpose is academic, vocational, and continuing professional education, and excludes avocational and adult basic education programs.

Title IV Aid – Title IV aid to students includes grant aid, work study aid, and loan aid. These include Federal Pell Grant, Federal Supplemental Educational Opportunity Grant (FSEOG), Academic Competitiveness Grant (ACG), National Science and Mathematics Access to Retain Talent Grant (National SMART Grant), Teacher Education Assistance for College and Higher Education (TEACH) Grant, Federal Work-Study, Federal Perkins Loan, Subsidized Direct or FFEL Stafford Loan, and Unsubsidized Direct or FFEL Stafford Loan.

Title IV Institution – An institution that has a written agreement with the Secretary of Education that allows the institution to participate in any of the Title IV federal student financial assistance programs (other than the State Student Incentive Grant (SSIG) and the National Early Intervention Scholarship and Partnership (NEISP) programs).

E-810.2 – INTEGRATED POSTSECONDARY EDUCATION DATA SYSTEM (IPEDS)

IPEDS SURVEY COMPONENTS

Component	
Registration	
IC Header (IC-H) and Institutional Identification	Address; telephone number; websites <ul style="list-style-type: none"> ▪ Control and affiliation ▪ Calendar System ▪ Levels of awards offered ▪ Open admission policy ▪ Library expenditures (degree-granting institutions only)
Fall Data Collection	
12-month Enrollment (E12)	12-month enrollment data are collected for students enrolled in credit-bearing courses at the undergraduate and graduate levels. The 12-month reporting period is July 1-June 30. Data collected/calculated include: <p>Unduplicated headcounts by level of student and by race/ethnicity and gender;</p> <ul style="list-style-type: none"> ▪ Instructional activity (contact or credit hours); and ▪ Full-time equivalent (FTE) enrollment (calculated based on instructional activity). FTE is used in computing expenses by function per FTE and revenues per FTE, which are reported on the IPEDS Data Feedback Report.
Completions (C)	Completions data are collected for award levels ranging from postsecondary certificates of less than 1 year to doctoral degrees. Data collected include: <p>Degree completions by level and other formal awards by length of program, by race/ethnicity and gender of recipient, and by program (6-digit CIP code).</p> <ul style="list-style-type: none"> ▪ The number of completers at an institution by gender, by race and ethnicity, and by age. These data are collected at the total as well as by award level. ▪ Programs that are offered completely via distance education. IPEDS also collects information on the number of students receiving degrees with double majors by 6-digit CIP code (for the second major) and by race/ethnicity and gender of recipient.
Institutional Characteristics (IC)	Data collected in the Institutional Characteristics survey provide general information about the institution. Data collected include: <p>Institution address, telephone number, and website;</p> <ul style="list-style-type: none"> ▪ Educational offerings and mission statements; ▪ Control/affiliation, award levels, and calendar system; and ▪ Student charges, including cost of attendance data (tuition and required fees and room and board charges for institutions with full-time, first-time degree/certificate-seeking undergraduate students), and ▪ Student services and programs (e.g., Service members and veterans services, distance education, disability services, etc.)

E-810.2 – INTEGRATED POSTSECONDARY EDUCATION DATA SYSTEM (IPEDS)

Winter Data Collection	
Admissions (ADM)	<p>The admissions component collects basic information on the selection process including:</p> <p>Requirements for admission;</p> <ul style="list-style-type: none"> ▪ Admissions yields; and ▪ Test scores (for institutions where test scores are required).
Graduation Rates (GR)	<p>Graduation rates data are collected for full-time, first-time degree/certificate-seeking undergraduate students. Data collected include:</p> <p>Number of students entering the institution as full-time, first-time degree or certificate-seeking students in a particular year (cohort), by race/ethnicity and gender;</p> <ul style="list-style-type: none"> ▪ Number of students completing their program within a time period equal to one and a half times (150%) the normal period of time; and ▪ Number of students who transferred to other institutions. <p>This survey was developed to help institutions comply with requirements of Student Right-to-Know.</p>
Graduation Rates 200 (GR200)	<p>Additional graduation rates data are collected for full-time, first-time degree/ certificate-seeking undergraduate students at less than 4-year institutions and full-time, first-time bachelor's or equivalent degree-seeking undergraduate students at 4-year institutions. The GR200 component further tracks the status of students who were reported in GR at 200% of normal time of completion. This survey was developed to fulfill requirements in the Higher Education Act, as amended.</p>
Outcome Measures (OM)	<p>Outcome data are collected from degree-granting institutions on 4 degree/certificate-seeking undergraduate student cohorts: (1) full-time, first-time; (2) part-time, first-time; (3) full-time, non-first-time entering; and (4) part-time, non-first-time entering students. These cohorts are further broken down into 8 subcohorts of Pell Grant recipients and non Pell Grant recipients. For all cohorts, the component collects the number and type of awards conferred (e.g., certificate, associate's or bachelor's) at 3 time points: 4-, 6- and 8-years. Also, at 8 years after the cohort enters the institution, OM collects on the following categories:</p> <p>Received award;</p> <ul style="list-style-type: none"> ▪ Did not receive award, still enrolled at reporting institution; ▪ Did not receive award, has left the institution and enrolled at another institution; and ▪ Did not receive award, subsequent enrollment status unknown <p>A total of students who did not receive an award will be calculated.</p>
Student Financial Aid (SFA)	<p>Financial aid and military benefits are collected for students.</p> <p>Section 1 of SFA collects financial aid data for undergraduate students. Additional, data are collected for full-time, first-time degree/certificate-seeking undergraduate students to calculate the annual average net price of college attendance in accordance with the Higher Education Act of 1965, as amended.</p> <ul style="list-style-type: none"> ▪ Section 2 of SFA collects military service members and veteran's benefits (DoD Tuition Assistance Program and VA Post 9/11 GI Bill) for undergraduate and graduate students.

E-810.2 – INTEGRATED POSTSECONDARY EDUCATION DATA SYSTEM (IPEDS)

Spring Data Collection

<p>Academic Libraries (AL)</p>	<p>The Academic Libraries component collects basic information on library collections/circulation, expenditures, and services for degree-granting postsecondary institutions. Data collected include: Counts of books, media, serials, and database collections/circulation held in the physical and digital/electronic form; and</p> <ul style="list-style-type: none"> ▪ Library expenditures on salaries/wages, materials/services, and operations/maintenance. <p>Institutions with annual library expenditures less than \$100,000 are only required to report collections information.</p>
<p>Fall Enrollment (EF)</p>	<p>Fall enrollment data are collected for all students enrolled in credit-bearing courses/programs which could potentially lead to awards ranging from postsecondary certificates of less than 1 year to doctoral degrees. Data collected include: The number of full and part-time students enrolled in the fall by level, race/ethnicity, and gender;</p> <ul style="list-style-type: none"> ▪ Residence and high school graduation status of first time, first-year students (in even years); ▪ Age of students (in odd years); ▪ Cohort numbers to compute retention rates; ▪ Student-to-faculty ratio; and ▪ Distance education. <p>In even-numbered years, four-year institutions are also required to provide enrollment data by level, race/ethnicity, and gender for 9 selected fields of study for the Office for Civil Rights.</p>
<p>Finance (F)</p>	<p>This component collects data related to the financial condition of the institution. Data collected include: Revenues by source (e.g., tuition and fees, government grants and contracts, private gifts);</p> <ul style="list-style-type: none"> ▪ Expenses by function (e.g., instruction, research, academic support, institutional support); ▪ Assets and liabilities; and ▪ Scholarships and fellowships. <p>Different formats are used based on the institution's accounting standards (GASB or FASB).</p>
<p>Human Resources (HR)</p>	<p>Employees by primary occupational activity, faculty status, full and part time (collected separately for medical schools)</p> <ul style="list-style-type: none"> ▪ Full-time instructional staff by academic rank, gender, and contract length/teaching period ▪ Total salary outlay and number of months covered, by academic rank and gender ▪ Full-time and part-time employees by primary occupational activity, race/ethnicity and gender ▪ New hires by primary occupational activity, race/ethnicity and gender



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION PROCEDURE

E-810.3 – CLIENT REPORTING ERROR MITIGATION

Authority	Executive Director of Institutional Research and Effectiveness
Effective Date	March 24, 2021
Revision Date(s)	
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-810 – Data Review and Verification
In Compliance With	Wisconsin Technical College System Reporting Manual Wisconsin Technical College System Portal

Data reported to the Wisconsin Technical College System (WTCS) must be free of errors and is the basis of the WTCS’s outcomes-based funding to the College. This procedure is by nature a cross-functional process involving different departments providing accurate data with the guidance of the Office of Institutional Research and Effectiveness (OIRE) and Information Technology Services (IT) personnel. The group engaged in this effort, the Client Reporting Work Group, discusses remedies and cleans errors at or between regularly scheduled meetings. The WTCS sets the date for final submission in the Client Reporting Manual. These data must be clean and ready to be submitted to the WTCS 60 days before the date set in the client reporting manual to allow for institutional validation.

CLIENT REPORTING WORKGROUP

- Executive Director of Institutional Research and Effectiveness
- OIRE Reporting Analyst
- IT Banner Analyst
- Student Services Representatives
- Financial Aid Representatives
- Academic Affairs Staff

PROCEDURE

Step 1. IT will submit a client file to the WTCS on the 9th day of every month and the 4th Wednesday of every month. All Client Reporting Work Group members will be set to receive notifications from the WTCS upon the submission of a client file. The Data Reporting Analyst can also send a request at any time to the ERP Systems Manager in IT, to run the current year client file and submit it to the WTCS.

Step 2. All Client Reporting Work Group members will check the portal after receiving an email notification from the WTCS that a client file was processed. Open the Wisconsin Technical College System (WTCS) Portal to view client reporting submissions (WTCS portal access by permission only). All Client Reporting Work Group members have access to the WTCS portal.

E-810.1 – DATA REVIEW AND VERIFICATION

Step 3. All Client Reporting Work Group members will select the File Submission Status or Error Reports (depending on your permissions) within the WTCS portal.

Step 4. All Client Reporting Work Group members will select the number in red immediately below the 'Errors' column in the upper-most row indicating 'cli05full2020PROD.txt' (most recent date).

- a. Review report showing all client reporting errors.
- b. Determine the corrective action needed to bring data into compliance and edit the incorrect data.
- c. The Client Reporting Work Group is scheduled to meet on the 4th Thursday of every month. Group members are expected to review and work on mitigating client errors between each monthly meeting.

Step 5. All Client Reporting Work Group members will select the 'cli05full2020PROD.txt' (most recent date) to reveal additional reports.

- a. Select the desired report(s).
- b. Determine the corrective action needed to bring data into compliance and edit the incorrect data
- c. The Client Reporting Work Group is scheduled to meet on the 4th Thursday of every month. Group members are expected to review and work on mitigating client errors between each monthly meeting.

Repeat steps 2-5 one (1) the day before the regularly scheduled client reporting work group meeting.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-820 – SURVEY REVIEW AND APPROVAL

Authority	Executive Director of Institutional Research and Effectiveness
Effective Date	December 7, 2016
Revision Date(s)	December 9, 2020
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	E-810 – Data Review and Verification E-810.1 – Data Review and Verification
In Compliance With	Blackhawk Technical College Research Review Process Manual

The College requires all surveys extending beyond course-level data collection to be vetted and collected by the Office of Institutional Research and Effectiveness (OIRE). The OIRE evaluates the appropriateness of survey design and purpose, conformance/compliance with best practices, and burden on potential respondents for all surveys collected from the students beyond the course level. These requirements are to ensure high-quality survey practices with accurate and appropriate results that address the intended purpose are gathered. Additionally, minimizing the potential for overburdening respondents with excess requests. Identified deficiencies can be documented, at minimum, or corrected and resolved whenever possible.

This policy does pertain to individuals, both internal and external, wishing to conduct research at the College for their own reasons (see E-830 IRB), but does not include college faculty conducting surveys within their own classrooms for purposes related to the course.

Review must take place in advance of intended collection and reporting to any audience, especially the District Board or external stakeholders.



BLACKHAWK TECHNICAL COLLEGE SECTION E – GENERAL INSTITUTION POLICY

E-900 – GRANTS

Authority	District Board
Effective Date	December 16, 2020
Revision Date(s)	May 17, 2023
Reviewed Date(s)	
Related Forms	
Related Policies and/or Procedures	
In Compliance With	

The College actively seeks out grants to maximize the delivery of its programs and services and to lead in the economic development of the region. Grants must be managed in accordance with state, Federal, and other funding agency requirements.

The President/District Director shall establish processes and procedures to assure timely application and processing of grant applications and funds, and that the grants that are applied for directly support the purposes of the College. The District Board will be informed about all grants received by the College.