

# 2019 Annual Campus Safety & Security Report

(Information for 2019-2020 Academic Year)



**BLACKHAWK**  
**TECHNICAL COLLEGE**

6004 S County Road G, Janesville, WI 53546

(608) 758-6900 • [info@blackhawk.edu](mailto:info@blackhawk.edu) • [blackhawk.edu](http://blackhawk.edu)

*BTC is an EO/AA educator/employer. For more information, go to [blackhawk.edu](http://blackhawk.edu).*

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## EXECUTIVE SUMMARY

On behalf of Blackhawk Technical College and the Office of Campus Safety and Security I present the 2019 Annual Security Report (ASR).

Blackhawk Technical College has a proud history of providing a safe learning environment for its students. A wide variety of policies and procedures have been developed over the years to ensure the health and safety of our students, employees, and visitors to the campus. In addition, numerous federal and state laws have been adopted dealing with student and employee safety. The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act requires that specific policies, procedures, and information be provided to ensure the health and safety of persons concerned with campus life.

Maintaining an environment where everyone feels safe and secure requires a cooperative and collaborative effort between all members of the College community. As seen throughout the College, we value diversity and strive to treat everyone with respect and dignity.

The Annual Campus Security Report provides current and prospective students, parents and others who influence college choice and our faculty and staff with accurate statistics and information that illustrate our collective commitment to safety and crime prevention.

We hope you find this information to be helpful and informative.

Respectfully submitted,

*Chuck Behm*

Chuck Behm  
Evening Administrator/Security Supervisor  
Office of Campus Safety and Security

## **COLLEGE INTRODUCTION**

Blackhawk Technical College (BTC) is a true learning community in which students, faculty and staff all contribute to and celebrate the success of others. At BTC, you'll be challenged. You'll be inspired. And you'll be proud, because our programs extend beyond the classroom. We tackle some of the world's toughest problems to find solutions that make life better – from alternative energy to the skills gap to helping rebuild southern Wisconsin. We teach. We explore and we discover. We collaborate and lead. We innovate, inspire and empower. We achieve our potential and create circumstances that help our students and others achieve theirs. We're good at it, and we've been at it for more than 100 years.

The Blackhawk Technical College Central Campus is located midway between the cities of Beloit and Janesville on over 80 acres of partially wooded rolling prairie. BTC offers over 50 programs leading toward associate degrees, technical diplomas, certificates or apprenticeships. While the majority of classes are held at the Central Campus, classes are also offered at the Center for Transportation Studies located north of Janesville, the Advanced Manufacturing Training Center in Milton, and at the Monroe Campus. BTC has a variety of community education outreach programs for HSED, GED, Rock County Education and Criminal Addictions Program (RECAP), English Language Learning (ELL) classes, and personal enrichment courses that are held at various sites in Rock and Green County

### **Separate Campuses**

All policy statements contained in this report apply to all campuses unless otherwise indicated.

### **College Accreditation**

Blackhawk Technical College is accredited by:  
The Higher Learning Commission  
230 South LaSalle Street Suite 7-500  
Chicago, Illinois 60604-1411  
(800) 621-7440

## **Blackhawk Technical College Administration**

**Dr. Tracy Pierner**

*President*

(608) 757-7771 Office

**Renea Ranguette**

*Vice President, Administration*

(608) 757-7700 Office

**Dr. Zahi Atallah**

*Vice President, Academic Affairs*

(608) 757-7737 Office

**Brian Gohlke**

*Executive Director, CHRO, Human Resources*

(608) 757-7773 Office

## **Blackhawk Technical College Campus Locations**

**Central Campus**

6004 S County Rd G  
Janesville, WI 53547

**Center for Transportation Studies**

1740 W US Highway 14  
Janesville, WI 53545

**Monroe Campus**

210 4<sup>th</sup> Ave  
Monroe, WI 53566

**Advanced Manufacturing Training Center**

15 Plumb St.  
Milton, WI 53563

## **Non-Campus Buildings and Properties**

For a list of non-campus properties contact the Office of Safety and Security at Blackhawk Technical College.

**Blackhawk Technical College**  
**2019 Annual Safety & Security Report**

Blackhawk Technical College (BTC) has a proud history of providing a safe learning environment for its students. A wide variety of policies and procedures have been developed over the years to ensure the health and safety of students, employees, and visitors to the campus. In addition, numerous federal and state laws have been adopted dealing with student and employee safety. The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act requires that specific policies, procedures, and information be provided to ensure the health and safety of persons concerned with campus life.

In addition, the Campus Sexual Violence Elimination Act (SaVE Act) was passed in March 2013 as part of the Violence Against Women Reauthorization Act (VAWA). BTC is committed to complying with the amendments and additions encompassed under the Campus SaVE Act.

## **Annual Disclosure Statements**

### **Reporting Criminal Incidents and Other Emergencies**

All students, employees, and guests should promptly report criminal incidents, accidents, suspicious behavior and other emergencies occurring on campus by dialing 911. Emergency 911 calls are answered 24 hours a day 7 days a week by the 911 Centers.

BTC created a security department in January 2014. Security Officers work throughout the day and evening at the Central Campus and primarily evenings at the Advanced Manufacturing Training Center (AMTC) and at the Monroe Campus. Security officers have jurisdiction on all BTC Campus'.

In addition, Campus Security Authorities (CSA) have been designated for all sites. CSA are those individuals who have significant responsibility for student and campus activities. Under the Clery Act a crime is "reported" when it is brought to the attention of a CSA or local law enforcement personnel by a victim, witness, other third party or even the offender. Crimes should be reported to both CSAs and the Office of Safety and Security to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. Campus Security can be reached through the Welcome Center at Central Campus or by visiting the Office of Safety and Security in room 2105.

#### **Campus Security Authorities (CSA)**

Crimes should be accurately and promptly reported to Office of Campus Safety or the appropriate police agency. The following position are designated as CSA's:

- Campus Security Officers
- Academic Advisors
- Club Advisors
- Campus administrative assistants (receptionists)
- Student Engagement Specialist
- Deans
- Executive Director of Student Services

## **Response to a Report**

Campus Security is on-duty during normal business hours at Central Campus. In response to a report, The Office of Campus Safety and Security will take the required action, either dispatching an officer or asking the victim to report to the Office of Campus Safety and Security to file an incident report. All reported crimes will be investigated by the College and may become a matter of public record. All security reports involving students are forwarded to the Director of Student Services for review and referral to the Office of Student Judicial Services for potential action, as appropriate. Security Officers will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Director of Student Services, if warranted. If assistance is required from local first responders, The Office of Campus Safety and Security will contact the appropriate agency. If a sexual assault or rape should occur, staff on the scene will offer the victim a wide variety of services.

### **Distribution of Campus Safety Alerts & Timely Warnings**

In the event that a crime is reported or a situation arises, within the BTC Clery Geography (on campus, public property and non-campus property), that, in the judgment of the BTC Security, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning may be issued through the college e-mail system, text message, and/or automated voice calls to students, faculty, and staff, and may be announced over the college public address system.

Distribution of Campus Safety Alerts and Timely Warnings will be executed through “BTC Safe Alert” notification. Students and staff are **automatically** signed up for BTC Safe Alerts via their college email address. Notification preferences can be set by logging into MyBTC from the <http://www.blackhawk.edu> homepage and selecting Emergency Notices.

Depending on the particular circumstances of the incident, especially in all situations that could pose an immediate threat to the community and individuals, the College may also post an electronic notice on the College web site at: <http://www.blackhawk.edu> and notify local media, providing the campus community with broader immediate notification. Anyone with information warranting a timely warning should report the circumstances to a campus security authority. Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

## **Emergency Notifications**

BTC has a responsibility for notifying the campus community upon confirmation of a significant emergency or dangerous situation involving a threat to the health or safety of students or employees occurring on the campus (“Emergency Notification”). Notifications may occur by text, phone calls, email, instant message through Safe Alert App, public address system, alarms, depending on the type of emergency. The Higher Education Opportunity Act (HEOA) requires that BTC must have, disclose, follow, and test its emergency response and evacuation procedures and immediately issue emergency notifications for any significant threat.

### **Examples of Emergencies Requiring Notifications**

Examples of significant emergencies or dangerous situations that may require issuance of an emergency notification may include, but are not limited to:

- Outbreak of a communicable disease;
- Approaching tornado or other extreme weather condition;
- Earthquake;
- Terrorist incident;
- Bomb threat;
- Explosion;
- Armed intruder or active shooter on or near campus; and
- Civil unrest or rioting.

Examples of situations that would not necessitate an emergency notification under the Clery Act:

- Utility outage
- Snow closure
- String of larcenies

### **Emergency Notification Targeting**

In contrast to the timely warning, which must be directed to the entire campus community, BTC may confine an emergency notification to groups or individuals who are deemed to need the information. The information must be accurate, complete, and understandable, and the method of communication must be consistent with BTC’s Crisis Communication Annex. Notifications may be withheld only if, in the professional judgment of responsible authorities, the emergency notification would compromise efforts to contain, respond to, or mitigate the emergency or to assist a victim.

### **Emergency Notification Process**

The Office of Marketing and Communications initiates the alert system; for redundancy, The Office of Safety and Security serve as backup to Marketing and Communications. To expedite the notification process, pre-scripted and approved emergency messages have been drafted. These messages are posted within the Safe Alert system, so they can be immediately accessed and dispatched. In the event of an emergency, the Marketing and Communications quickly drafts and disseminates an appropriate emergency notification. The entire campus community is notified when there is the potential that a large segment of the BTC community will be affected by a situation or when a situation threatens the operation of the campus as a whole. Marketing and

Communication will notify additional segments of the campus community if a situation warrants expanded notification.

Notifications may only be withheld, if, in the professional judgement of responsible authorities, the emergency notification would compromise efforts to contain, respond to, or mitigate the emergency or assist a victim

If an immediate threat (for example, armed intruder or imminent weather situations) to the BTC community is confirmed, the Office of Campus Safety and Security, without delay, and considering the safety of the campus community, determine the content of the emergency communication and initiate the emergency notification system. In the event of an emergency notification sent by Office of Campus Safety and Security, the Office of Marketing and Communication is immediately notified and may assume responsibility for further communications.

### **Method for Distribution of Emergency Notification**

After the initial emergency notification, continued or updated communications will take place on appropriate modalities, including BTC Safe Alert, campus email, public address system, desktop notification, social media, and through the local media (radio, television, and/or the BTC website (Blackhawk.edu). Students, faculty, and staff are directed to monitor the website and local media for updated crisis information.

The BTC Safe Alert emergency notification system is tested three (3) times a year by sending a test message to parts or all of the entire campus community. The tests are both announced and unannounced. One test per year is accompanied by publicizing:

- The date(s) and time(s) of the test;
- Whether it was announced or unannounced test;
- Description of the type of test held;
- How to update emergency alert contact information; and
- Refers users to the Office of Campus Safety and Security website, [www.blackhawk.edu/campusafety](http://www.blackhawk.edu/campusafety), for additional instructional information, training videos, and emergency response and evacuation procedures.

### **Timely Warning Procedure:**

The following procedures shall be followed when initiating Timely Warnings:

1. Criteria for Timely Warnings. The Executive Director of Marketing and Communications and The Manager of Campus Safety and Preparedness or designees will develop timely warnings for the BTC community to notify members of the community about Clery Act crimes that have occurred on campus, on non-campus property or public property running through or immediately adjacent to the campus, when it is determined that the incident may pose a serious or ongoing threat to members of the BTC community. Timely

Warnings are typically issued for the following crimes: major incident of arson, murder/non-negligent manslaughter, motor vehicle theft and robbery. Alerts for the crimes of aggravated assault, burglary and sex offenses are considered on a case by case basis and depend upon a number of factors. These include the nature of the crime, the continuing danger to the campus community -- such as whether the perpetrator was apprehended or the threat has been mitigated. Timely Warnings may be distributed for other serious crimes if deemed warranted by the Manager of Campus Safety and Preparedness or designee. Timely Warnings will be distributed in a timely manner and will be issued as soon as pertinent information is received and it is determined that the reported incident may pose a serious or on-going threat to the community. Campus Officials not subject to the Timely Warning reporting requirement include licensed or certified professional counselors and recognized pastoral counselors who are functioning in the role of providing confidential counseling to members of the BTC community on behalf of BTC.

2. Preparation of a Timely Warning/Safe Alert. Security officers are responsible for notifying the Manager of Campus Safety and Preparedness or designee of any reported incident that may necessitate the issuance of a Timely Warning. Timely Warnings are generally written and distributed to the campus community by the Executive Director of Marketing and Communications and the Manager of Campus Safety and Preparedness or designees using Safe Alert. The Manager of Campus Safety and Preparedness has the authority to issue a Timely Warning without the assistance of the Executive Director of Marketing and Communications if consultation time is not available.

The Timely Warning must include information with sufficient specificity to allow recipients to take an appropriate response and to potentially aid in the prevention of similar crimes.

A Timely Warning will include:

- Title of the crime reported;
- Date and time the Safe Alert was released;
- Accurate date, time and location of the incident;
- A succinct description of the incident;
- Tips for maintaining personal safety; and
- A request for information and where to direct information.

A Timely Warning may also include:

- Physical description of the suspect, if known;
- Information about possible connection to previous incidents

1. Dissemination of a Timely Warning. The Executive Director of Marketing and Communications and The Manager of Campus Safety and Preparedness or designees have primary responsibility for the distribution of Safe Alerts. All campus-wide Timely Warnings will be sent through the college's mass communications system, and will be posted on the College's Emergency Notifications webpage until the threat of risk has passed. Additional supplemental methods for disseminating Safe Alerts include, but are not limited to, the following means: posting of flyers and related news media announcements. The method or methods used will depend on the severity, location, and type of incident and the ongoing nature of the threat. Campus Safety Alerts may be issued for other crime classifications as deemed necessary.

## **Confidential Crime Reporting Procedures**

BTC encourages anyone who is the victim or witness to any crime promptly report the incident to the police. Confidential reports of crime can be made to Crime Stoppers at 608-756-3636 for Rock County or 800-422-7643 for Green County. Reports made directly to security are subject to open records; therefore, BTC cannot allow for confidential reporting when reports are made directly to us.

The Office of Campus Safety and Security does not have an internal voluntary confidential reporting procedure, and therefore, professional and pastoral counselors cannot notify their clients of that type of reporting option at BTC. However, as stated above, confidential reports can be made externally to Crime Stoppers.

As a result, the College does not have any procedures to encourage pastoral or professional counselors to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis directly to BTC for inclusion in the annual disclosure of crime statistics.

### **Monitoring and Recording Criminal Activity at Non-campus Locations**

BTC encourages cooperation with local police to monitor and record information concerning criminal activity involving BTC students or recognized student organizations that occur away from BTC facilities. BTC will cooperate with local law enforcement authorities who may request BTC staff to verify information (e.g. students' status, age, residence, etc.) about students.

BTC has no officially recognized student organizations that own or control housing facilities.

### **Daily Crime Log**

The purpose of the Daily Crime Log is to record criminal incidents and alleged criminal incidents that are reported to Campus Security. Daily Crime Log entries include **all** crimes reported to Campus Security on college property, not just Clery Act crimes. The Crime Log discloses information about criminal incidents, not crime statistics. The log is designed to disclose crime information on a timelier basis than the annual statistical disclosures. The victim's confidentiality will be protected, including record-keeping that excludes personally-identifiable information on victims. A crime is entered into the log as soon as it is reported to the Office of Safety and Security. This includes crimes that are reported directly to security, as well as crimes that are initially reported to another CSA or to a local law enforcement agency who subsequently reports them to Security. An entry, an addition to an entry, or a change in the disposition of a

complaint, is recorded within two business days of the receipt of the information to the Office of Safety and Security. Updates of a Crime Log entry will not be made after 60 days have passed from the date of the entry. A business day is Monday through Friday, except for days when the College is closed. The only exceptions to this rule are:

- If the disclosure is prohibited by law; or
- If the disclosure would jeopardize the confidentiality of the victim. • Security may temporarily withhold information if there is clear and convincing evidence that the release of information would:
  - a. Jeopardize an ongoing investigation;
  - b. Jeopardize the safety of an individual;
  - c. Cause a suspect to flee or evade detection; or
  - d. Result in the destruction of evidence.

However, the information will be added to the Daily Crime Log once the adverse effect is no longer likely to occur. An electronic and hard copy are maintained by the Office of Safety and Security located in room 2105 at Central Campus.

### **General Information about Emergency Response**

General information about the emergency response and evacuation procedures for Blackhawk Technical College are publicized each year as part of the institution's Clery Act compliance efforts and that information is available on the College's web site. All members of the College Community are notified on an annual basis that they are required to notify campus administration of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus.

The College has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the College has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. In the event of an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, a campus administrator or designee will, without delay and taking into account the safety of the community, determine the content of the emergency notification and initiate the notification system, unless issuing a notification will, in the judgment of the administrator, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Blackhawk Technical College's Emergency Response Plan includes information for management of a crisis, incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. Emergency procedure guides are located in classrooms, offices, and meeting rooms throughout all campus locations.

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

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

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

### **Evacuation Drills**

An evacuation drill is coordinated by Blackhawk Technical College each year. Thus the emergency response and evacuation procedures are tested at least annually. Students will learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term evacuation. Evacuation drills are monitored by the Manager of Campus Safety and Preparedness, or designee to evaluate egress and behavioral patterns. Reports are prepared and recommendations for improvements are submitted to the Emergency Preparedness Committee for consideration.

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

BTC has no residence halls and therefore is not required to do annual fire drills. We do, however, conduct evacuation drills. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At BTC evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants ‘practice’ drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

## **General Evacuation Procedures**

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Security at 608-757-7617 or dial 911 from a College phone or 911 from a cell phone.

1. Remain Calm
2. Do NOT use Elevators, Use the Stairs.
3. Assist the physically impaired. If he/she unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform Security and the responding Fire Dept. of the individual's location.
4. Pull the fire alarm if not already activated.
5. Proceed to a clear area at least 500 feet from the building. Keep all walkways clear for emergency vehicles.
6. Make sure all personnel are out of the building.
7. Do not re-enter the building.

## **Tornado Warning**

When a Tornado warning is issued for a campus, proceed immediately to a designated shelter area assisting students and visitors as needed. Shelters are clearly marked and there are maps in every classroom and most offices showing Tornado shelter locations. Remain in the shelter until an “all clear” is issued by BTC staff.

## **Medical Emergency**

In case of serious illness or injury dial 911 from a college phone or 911 from a cell phone and then notify the front desk of your location. Give your name and state you have a medical emergency. Give specific location information including room number. Explain the nature of the illness/injury. Whenever possible someone should remain with the ill/injured person. Automatic External Defibrillators (AED's) and Emergency Response Kits are available at marked locations at each campus. Send someone to meet Emergency Medical Personnel to assist them getting to the ill/injured person. BTC does not transport patients.

## **Behavior Intervention**

Behavioral issues that are affecting the learning environment can be reported to the Behavior Intervention Team. Reports can be filed directly with the Office of Campus Safety and Security or online on the MyBTC portal by clicking on “Intervention Reporting.”

If the behavior is threatening and/or violent call 911 and report the matter to law enforcement.

## **Bomb Threat**

The person receiving the bomb threat (or other threatening calls) should proceed as follows: Do not hang up; keep talking to the caller. Document as much information from the caller as possible. Make note of the line the call came in on if possible. Have another person call 911 from a campus phone or 911 from a cell phone, if possible. Inform the front desk of your location. Remain by the phone until designated emergency staff respond; keep **ALL** information about the call confidential. Emergency staff will promptly advise you of the next steps.

## **Chemical Emergency**

If a major spill occurs evacuate the area and call 911. Complete an incident report and forward to the Manager of Campus Safety and Preparedness. If a minor spill occurs reference the Safety Data Sheets that are available online on all BTC computers. Press the MSDS button on the toolbar. Wear appropriate personal protection equipment. Clean-up and dispose of materials as appropriate/required. Complete an incident report and submit to the Manager of Campus Safety and Preparedness.

## **Active Shooter/Campus Lockdown**

Gunfire from an active shooter can occur on or near a campus with little to no warning. In all cases, local law enforcement will be contacted to respond to the incident and will assume total control of the incident upon arrival. If possible, evacuate. Have an escape route and plan in mind. Do not run in a straight line. Hide if evacuation is not possible. Lock doors and turn off lights and barricade if possible. Stay in place until law enforcement arrives. Take Action as a last resort and only when your life is in imminent danger. Monitor BTC SAFE alert messages. Interior and exterior doors of the campus will be locked, if possible.

## **Lockout**

The purpose of a lockout is when there is police activity near the College. In an event such as this all exterior doors will be secured and no one will be allowed to enter or exit the building. During a lockout, normal activities will continue to take place inside the college.

## **Shelter-in-Place**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place”

means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

If the situation warrants, a campus official will make a decision to “shelter-in-place” which will be communicated to the community via the timely warning communication system. Students, staff and visitors will be directed to take shelter in the designated shelter area.

### **Utility Problems and Failures**

All utility problems and failures need to be reported to Facilities or Security immediately. Depending on the extent and duration of the power outage it may be necessary to close or partially close an entire campus building. The process to arrive at this decision will be made as soon as possible following an outage.

Campus Security, if available, will deploy to the area(s) affected by the outage to direct personnel to safe areas and to assist as necessary.

The duration of the building evaluation or closure is dependent upon the size and scope of the utility outage. In the event of a full campus closure students and staff should monitor local media, BTC Webpage and Safe Alert.

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

### **Campus Security and Law Enforcement**

The Office of Safety and Security has one full-time Manager of Campus Safety and Preparedness, one full-time Evening Administrator, part-time security officers, and part-time student security officers.

Blackhawk Technical College is very proud to have a very close working relationship with all our local law enforcement agencies. With their assistance we are better able to provide a safe and secure learning environment.

The College recognizes that laws and rules are necessary for society to function and supports the enforcement of law by government agencies and rules by officials of the College. All persons on the campus are subject to these laws and rules at all times. Officers are invited to patrol the College campus to assist in deterring crime. In addition to security, BTC utilizes local law enforcement agencies to patrol parking lots and other areas around the facilities.

When an incident warrants, BTC security uses local police authorities who have the statutory power to enforce applicable laws and who possess arrest powers. BTC cooperates with law enforcement authorities in the exercise of their responsibilities and maintains Memorandums of Understanding (MOU) that do OR do not pertain to the investigation of criminal incidents with the Rock County Sheriff’s Office and the City of Milton Police Department.

## **Security Officers**

Certain non-student Security Officers who have law enforcement experience and training are armed. Armed Security Officers are not law enforcement officers and do not have powers of arrest.

Student security officers are primarily of the Public Safety Division. These students are provided training in many areas including emergency response, first-aid and CPR, report writing, patrol operations and professional communications.

Duties of BTC security officers include; preventative patrol procedures, personal escorts, lock/unlock rooms upon request, response to incidents and case investigation.

Security Officers have jurisdiction to operate on BTC owned or controlled property. Security officers are not sworn officers, but they are responsible for enforcing College policies, and those policies include enforcing violations of the law. Security Officers document violations of College policy/law and contact local law enforcement agencies to report observed violations of federal laws and state laws. A security officer has no arrest authority but can detain someone for a felony without a warrant based on probable cause. A security officer can make a warrantless detention for a misdemeanor only if the misdemeanor is committed in the security officer's presence and constitutes a breach of the peace. Security Officers are trained in the critical importance of maintaining confidentiality regarding information they receive. Any information they receive will be maintained in accordance with the rules and guidelines of the Clery Act, VAWA and FERPA.

### **Privacy of Records – Release of Written Information**

BTC policy on record privacy and releasing information follows the directives outlined in the Family Educational Rights and Privacy Act (FERPA), the federal law governing the protection of written educational records. Registered students will be notified of this policy annually. Only the student may authorize the release of their personally identifiable information in an education record. All such authorizations must be in writing. A fee may be assessed for copying all or a portion of a student record.

### **Notification**

Students and stakeholders can find this policy in the BTC catalog, the website, or may obtain a copy of the policy from the Registrar.

## **Emergency Situations**

Information can be released to law enforcement personnel, emergency personnel, and College officials in an emergency in order to protect the health or safety of students or other persons.

## **Judicial Order**

Information must be released to comply with a judicial order or lawfully issued subpoena. Unless the court (or other issuing agency) has ordered that the existence or the contents of the subpoena or judicial order not be disclosed, the College will make a reasonable effort to notify the student before complying so the student may seek protective action.

## **Access Policy**

Access to and use of BTC facilities is governed by institutional policies and local statutes. Access to facilities during normal business hours, is limited to BTC students, guests, visitors, faculty and staff for work, education or other related purposes. Outside groups may use the facilities with special permission in accordance with district policy. Loitering or wandering through the facilities for unapproved reasons is prohibited.

Security of BTC facilities is provided through a number of mechanisms. This can include electronic security systems, establishment of hours of operation, locking doors, limiting keys only to those individuals with a direct need to access certain areas, and providing improved lighting for security purposes. Other security mechanisms may vary by facility. Security Officers conduct routine patrols to monitor and respond to security related matters.

(BTC does not have on campus student housing facilities)

## **Security Awareness and Crime Prevention Programs**

BTC provides information to students and employees about campus security practices and crime prevention efforts through a variety of mechanisms. The institution distributes pamphlets and other information which discuss safety and security issues. Students and staff are encouraged to be alert, and BTC stresses the importance that they be responsible for their own safety and the security of others. BTC student organizations often sponsor informational presentations by community resource people. Workshops and in-services are provided to students and staff that emphasize the importance of updating crime prevention strategies, such as Self-Defense Techniques. The BTC Emergency Preparedness Committee serves as a resource for related issues and concerns.

Students are advised, through the *Student Handbook*, which is published annually on MyBTC, of institutional practices and disciplinary procedures related to security efforts. BTC maintains up to-date policies which are available on the College's website.

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of the BTC to inform students of good crime prevention and security awareness practices.

During the 2018-2019 academic year, BTC offered crime prevention and security awareness programs. Topics such as personal safety, emergency preparedness, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious and involved and advised to call Campus Safety Security to report suspicious behavior. For additional questions regarding crime prevention, contact the Office of Safety and Security at 608-757-7617.

### **Basic Protective Behaviors**

- Record the serial numbers of important electronics or other valuable items, especially your laptops and cell phones. It makes it much easier to recover stolen items
- Use a free, secure website such as [reportit.com](http://reportit.com) to document all your valuables should they be lost, damaged, or destroyed.
- Have multiple copies of these serial numbers. Keep a copy with you and leave one with someone else (parents, a trusted friend, etc.)
- Engrave all electronics and other valuables with an identifying number, such as your driver's license number or student ID number.
- Secure your laptop to a stationary structure so it cannot be easily picked up and stolen. Do not keep laptops or other important valuables next to open window- burglars will find a way to grab it.
- Never leave your valuables unattended in a public place including the library, student success or cafeteria. Many students have items stolen when they leave them unattended, even for just a couple minutes. If you need to leave your valuables for a few minutes, ask a trusted friend to watch your belongings while you are gone.
- If you have a vehicle, always keep the doors locked! Do not keep anything valuable in the vehicle. If you must leave something inside, make sure it is hidden from view.
- Scan the area for loiterers or other suspicious people around your vehicle while you are approach. Have your keys in hand as you are approaching your vehicle.

- Travel with as many people as possible. Always walk in well-lit, high-populated areas, especially at night. Always be aware of those around you; have continuous awareness. Keep arms and hands as free as possible- these are your first lines of defense. Walk with confidence! Know your route! If you feel you are being followed, cross the street. If the person follows you, go to the closest area with people and ask for help.
- Do not carry excessive amounts of cash or credit cards with you while in the public. Carry only what you need: adequate amount of cash, a credit or debit card, one form of identification.
- If someone tries to rob you, comply with his or her requests. It is much better to lose your money and belongings than to get injured.
- Remain in well-lit areas while waiting for public transportation and make sure at least one person knows your plans: where you are going and whom you are with.
- Most of all - TRUST YOUR INSTINCTS

### **Drug & Alcohol Abuse Education**

As a requirement of the Federal Drug-Free Schools and Campuses Regulations [Edgar Part 86], Blackhawk Technical College is to disseminate and ensure receipt of the policy/information to all students on an annual basis. This process is formally conducted by providing notifications to students through advising/ registration/orientation (ARO) presentations, the BTC Student Handbook, Drug Free School Brochure, and on the Emergency Procedure Guide posted throughout campus. Questions concerning this policy and/or alcohol and other drug programs, interventions and policies may be directed to the Director of Student Services, Tony Landowski, [alandowski@blackhawk.edu](mailto:alandowski@blackhawk.edu), 608-757-7726.

As an academic community, Blackhawk Technical College is committed to providing an environment in which learning can flourish. The possession or use of illegal drugs, or the abuse of those 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.

The abuse of alcohol and other drugs by students, regardless of age and of 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. A separate policy addresses violations by College staff.

The College strongly encourages students to voluntarily obtain assistance for dependency or abuse problem before such behavior results in an arrest and/or disciplinary referral which might result in their 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 or staff expectations, and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

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 Blackhawk Technical College Mental Health Counselor (608-757-6964), 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.

Any student or staff member who is experiencing problems with alcohol and drugs, or who has concerns about anyone who may be abusing drugs or alcohol are encouraged to contact the Student Services Office or the Office of Safety and Security. A number of educational and awareness raising materials and events are provided throughout the college year. These may involve seminars, community awareness activities, orientation sessions, etc.

### **Prevention and Education**

Individual, group and community educational programs and interventions designed to prevent and reduce alcohol and other drug use/abuse are offered to the Blackhawk Technical College Community.

Through the Director of Student Services, the Mental Health Counselor (608-757-6964, [www.blackhawk.edu/Student-Resources/Advising/Counseling-Services](http://www.blackhawk.edu/Student-Resources/Advising/Counseling-Services) ) and other departments and offices offer a variety of psychoeducational programming, support groups, on-line resources, written materials, and simulations that occur throughout the year.

As mandated by the Drug-Free Schools and Campuses Act, this policy is distributed to all students, staff and faculty on an annual basis, and during every even year, a biennial review of the comprehensive alcohol and other drug program is conducted. For more information concerning current programs, interventions and policies, contact the Director of Student Services, Tony Landowski, 608-757-7726, [alandowski@blackhawk.edu](mailto:alandowski@blackhawk.edu)

### **BTC Standards of Conduct and Sanctions Concerning Illicit Drugs and Alcohol**

The abuse of alcohol and other drugs is an issue of major concern in our communities. BTC's efforts are aimed at the general reduction of harmful and/or illegal involvement with any drug. Specific emphasis is given to alcohol because it is the most widely used and abused drug. The abuse of alcohol contributes too many problems including sexual and other assaults (particularly date rape); group conflicts and neighborhood disturbances; problems; and personal pain. The unlawful possession, use and sale of alcohol and/or illicit drugs is prohibited at BTC in

accordance with applicable provisions of state and federal law, Wisconsin Administrative Code and District Board policies.

***The possession, use or sale of, illegal drugs on BTC premises is prohibited.*** BTC cooperates with local police agencies to enforce underage drinking laws and other violations related to the possession, use and sale of alcohol as well as the enforcement of Federal and State drug laws. BTC students are expected to comply with all laws and District policies regarding the use of alcoholic beverages. Depending on the nature of the violation, students may face legal prosecution and/or disciplinary action in accordance with applicable laws and district policies or they may face disciplinary action including suspension, termination and referral for prosecution. Disciplinary sanctions may also include the completion of an appropriate rehabilitation program.

### **State of Wisconsin and Federal Legal Sanctions Wisconsin - Controlled Substances**

The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and outlines specific penalties for the violation of the regulations. A first time conviction for possession of a controlled substance can result in a sentence of up to two years in prison and a fine of up to \$5,000. Section 961.41(3g), Stats. A person convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with an intent to manufacture or deliver, can be imprisoned for up to 30 years and fined up to \$1,000,000. Sections 961.41(1) and (1m), Stats. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term. Section 961.46, Stats.

### **Federal—Controlled Substances**

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

### **Wisconsin—Alcohol Violations**

Wisconsin has formidable legal sanctions that restrict the use of alcohol in various situations. It is illegal to procure for, sell, dispense or give away alcohol to anyone who has not reached the legal drinking age of 21 years. Section 125.07(1)(a)(1), Stats. Every adult has a legal obligation to prevent the illegal consumption of alcohol on premises owned by the adult or under the adult's control. Section 127.07(1)(a)(3), Stats. A first-time violator of either of the above subsections can be fined up to \$500. It is against the law for an underage person to procure or attempt to procure an alcoholic beverage, to falsely represent his or her age for the purpose of obtaining alcohol, to enter premises licensed to sell alcohol, or to consume or possess alcohol on licensed

premises. Section 125.07(4)(a), Stats. A first-time underage violator of paragraph (a) can be fined up to \$500, ordered to participate in a supervised work program, and have their driver's license suspended or any combination of these penalties. Section 125.07(4)(bs)1.

## **Title IX of the Education Amendments of 1972**

Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs and activities that receive federal financial assistance. The College is bound by, and supports, all applicable laws. The Title IX of the Higher Education Act of 1972 ensures the College does not discriminate on the basis of sex in its education programs and the Campus Sexual Violence Elimination Act (SAVE) of 2013 and Violence Against Women Reauthorization Act (VAWA) ensures that colleges and universities implement policies and programs to prevent sexual assault, dating violence, domestic violence, and stalking.

Laws and the requirements of this policy affect all relationships within the College community, including, but not limited to:

- Student relationships with other students
- Instructor and staff conduct toward students
- Student conduct toward instructors and staff
- Conduct between members of different genders
- Conduct between members of the same gender
- Conduct toward persons outside the BTC community may be considered a violation of this policy if the College concludes there is a sufficient connection between the conduct and the College to warrant the College taking action
- Conduct between campus visitors and students or employees

**On-campus violations:** Any incident which occurs within the geographic confines of the college, including its land, roads, buildings, leased premises, the property, facilities and leased premises of organizations affiliated with the college (this would include classes or events held at other sites).

**Off campus events:** Events that occur off campus can impact the learning environment while a student is attending BTC, therefore the college will also consider the effects of off-campus misconduct when evaluating whether there is a hostile environment on-campus or in an off campus education program or activity. Students should be aware that off campus violations that have a downstream effect on the college or its students are subject to disciplinary sanctions. As examples, sexual misconduct and harassment are within the college's interest when the behavior:

- Involves conduct directed at or by a college student or other member of the college community (e.g. outside employment)

- Occurs during college-sponsored events (e.g. field trips, social or educational functions, college related travel, student recruitment activities, internships and service learning experiences)
- Occurs during the events of organizations affiliated with the College, including the events of student organizations
- Poses a disruption or threat to the college community

### **District Board Policy on Discrimination and Harassment**

At BTC, we value every member of our institution. BTC is made up of individuals of both sexes, all races and ages. We are proud to affirm our commitment that all persons are accepted and judged as individuals, independent of ancestry, social background, physical characteristics, or personal beliefs.

Specifically, the Blackhawk Technical College District Board actively complies with all state and federal equal opportunity and affirmative action laws, rules, executive orders, and policies.

*It is the policy of BTC not to discriminate in employment or against students on the basis of age, race, religion, handicap, marital status, sex, national origin, ancestry, arrest or conviction record, sexual orientation, or membership in the National Guard state defense force or any reserve component of the military forces of the United States or this state. BTC also does not discriminate against students on the basis of pregnancy or parental status.*

Discrimination means the difference in treatment in any service, program, course or facility of BTC on the basis of any protected status. District policy prohibits harassment by supervisors, co-workers, and non-employees on the basis of sex, race, national origin, handicap, or any other protected status. An affirmative effort will be made to provide a harassment-free environment for employees, students and non-employees.

The Blackhawk Technical College District has an established procedure for resolving complaints relating to discrimination, including harassment. Complaints alleging sexual harassment may be filed directly with either the District's Affirmative Action Officer or the District's Title IX Officer. Alleged acts of discrimination may be filed directly with the District's Affirmative Action Officer. Complaints must be filed within 300 days of the action causing the complaint.

### **Sexual Harassment**

Sexual harassment is defined as: "...any unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature...It also includes instances where such conduct is **indicated to be a term or condition of an individual's academic or employment experience**, used as a basis for academic or employment decisions, interferes with an individual's academic or employment performance, or creates an intimidating, hostile, or offensive academic or employment environment."

## **Sexual Misconduct**

Blackhawk Technical College's student code of conduct prohibits sexually violent acts, termed "Sexual Misconduct" by the College, which can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal/relationship violence, sex/gender-based stalking, and sexual harassment. While Blackhawk Technical College utilizes different standards and definitions than the Wisconsin Code, sexual misconduct often overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence. Victims of these behaviors are protected by federal laws, specifically Title IX, and the Clery Act, which mandates the contents of this report.

It is the policy of Blackhawk Technical College to notify local law enforcement when sexual misconduct occurs, typically without providing identifying information about the incident, unless a victim wishes that information to be shared, or an emergency requires disclosure. Victims have the option to notify law enforcement directly (including on campus law enforcement and campus authorities and/or local police), or to be assisted in doing so by campus authorities, including the Title IX Coordinator and the Office of Campus Safety & Preparedness.

### **Title IX Coordinator**

Lynn Neitzel, Director of Teaching and Learning Resources

### **Title IX Deputy Coordinator**

Student Focus: Alicia Acker, Career Services and Leadership Development Coordinator

### **Title IX Investigators**

Brad Smith, Manager – Campus Safety

Elaine Schultz, Talent Management Specialist

If requested, campus officials can facilitate reporting to local law enforcement, but may also respect a victim's request not to do so. Furthermore, victims have the right to decline to notify law enforcement. The Rock County 911 Center can be contacted by dialing 608-757-2244 for all incidents occurring in Rock County. The Rock County 911 Center will dispatch the correct law enforcement agency having jurisdiction in the matter. The Monroe Police Department can be directly contacted at 608-329-2400 for all matters or incidents at the Monroe Campus.

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence occurring among its students, the College utilizes a range of campaigns, strategies, and initiatives to promote awareness, educational, risk reduction, and prevention programming.

It is the policy of the College to offer programming to identify and prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss institutional policies on sexual misconduct as well as the Wisconsin definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity in the applicable jurisdiction. Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students:

- A. Blackhawk Technical College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official. Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking. Blackhawk Technical College strives to provide an educational environment that preserves the safety and dignity of each member of our community. In order to foster a climate of respect, and provide for the safety and security of our community, Blackhawk Technical College prohibits acts of sex- and gender based discrimination, to include the crimes of Domestic Violence, Dating Violence, Sexual Assault and Stalking. Blackhawk Technical College employees who become aware of instances or allegations of sexual misconduct by or against a Blackhawk Technical College student or employee must report it (as defined by the Clery Act).
- B. In the State of Wisconsin, consent is defined as: “Words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact.”
- C. Blackhawk Technical College's definition of consent is as follows: the equal approval, given freely, willingly and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision — indicated clearly by words or actions — to engage in mutually accepted sexual contact. A person

compelled to engage in sexual contact by force, threat of force, or coercion has not consented to contact.

D. Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.

### **PROCEDURES FOR REPORTING DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING**

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking occurs after an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible. In Wisconsin, evidence may be collected even if you chose not to make a report to law enforcement. Sexual Assault Nurse Examiner (SANE) exams are available at no cost to eligible victims at the following locations within the Blackhawk Technical College district:

Beloit Memorial Hospital  
1969 West Hart Road  
53511 Beloit, WI  
(608) 364-5011

The Monroe Clinic Hospital  
515 22nd Ave  
53566 Monroe, WI  
(608) 324-2000

Mercy Hospital and Trauma Center  
1000 Mineral Point Avenue  
53547 Janesville, WI  
(608) 756-6611

For a complete and current listing of SANE programs in Wisconsin statewide, please visit <https://sane.doj.wi.gov/locations>.

For more general information regarding the SANE program, please visit the Wisconsin Coalition Against Sexual Assault (WCASA)'s website at [http://www.wcasa.org/pages/Intervention\\_SANE.php](http://www.wcasa.org/pages/Intervention_SANE.php).

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or police. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Blackhawk Technical College Public Safety Services or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

### **Involvement of Law Enforcement and Campus Authorities**

Although Blackhawk Technical College strongly encourages all members of its community to report violations of this policy to law enforcement (including Public Safety Services), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, The Office of Safety and Security, the corresponding Office of the Title IX Coordinator, the Deputy Title IX Coordinator, or the Office of the Director of Student Services will assist any victim with notifying law enforcement if the victim so desires.

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

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

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.
- C. Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

### ***Primary Prevention and Awareness Programs***

These programs include:

- **Advising, Registration and Orientation (ARO) Title IX training:** *This is a 10-15 minute presentation that is offered at each ARO. During the time, we share information highlighted in the Title IX informational handout that outlines policies, procedures, and campus contact information.*
- **“Not Anymore” training:** “Not Anymore” is a video-based training that provides short, real-life examples and information about Consent, Bystander Intervention, Sexual Assault, Dating & Domestic Violence, Stalking, and much more. “Not Anymore” can help you better protect yourself and others on and off campus.

Specifically, the College offered the following **primary prevention and awareness programs** for all **incoming students** in 2018/2019:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
Not Anymore training	Varies-- online	All campuses	S, SA, DaV, DoV
ARO Session	Varies throughout the semester	Central and Milton	S, SA, DaV, DoV

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following **primary prevention and awareness programs** for all **new employees** in 2018/2019:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
<b>SkillSoft – Title IX and Sexual Harassment Training</b>	Varies/Based on hiring date— online; new/continuing fulltime faculty annual training due by September 15th	All Campuses	S, SA, DaV, DoV

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

### ***Ongoing Prevention and Awareness Campaigns***

The College has developed an annual educational campaign consisting of:

- **Domestic violence prevention events** (10/15/18) The Domestic Violence Awareness Event is hosted by the Beloit Domestic Violence Center. The Beloit Domestic Violence Center comes to Blackhawk Technical College to inform our students about resources that are available to them, engage them in a survivor/support discussion, provide them with volunteer opportunities, and paint a butterfly in honor of those that have experiences domestic violence.

- **YWCA racial/social justice training:** (11/8/18) Students and staff attend an all-day training that is sponsored by the YWCA to increase knowledge of diversity and build a culture of inclusion.
- **“Not Anymore” training:** “Not Anymore” is a video-based training that provides short, real-life examples and information about Consent, Bystander Intervention, Sexual Assault, Dating & Domestic Violence, Stalking, and much more. “Not Anymore” can help you better protect yourself and others on and off campus.
- **Terri Jendus Nicoali:** (10/15/18) (Teri Jendus Nicolai has survived the unthinkable. Her ex-husband tried to murder her in January 2004 by beating her with a baseball bat, stuffing her bloody body in a garbage can, driving her across state lines (with their two little girls sitting the front seat), and placing her in a storage locker left for dead. Teri was found 26 hours later, barely alive. She lost her toes due to frostbite and lost her unborn baby with her second husband from the injuries, but survived the attack and is now speaking out about domestic violence awareness.

Teri came from a loving family; Teri graduated college and was remarried. She knew better than to have someone treat her this way. How does this happen? Teri will talk about her experiences and what is going on across this country with domestic violence.

Teri has been on Oprah, 20/20, CNN web, newspapers across the country to help get the word out on this important topic.

- **Denim Day: (4/24/18)** Students and staff wear jeans to show their protest against sexual violence. In addition, individuals decorated a pair of jeans and then the jeans were put on display around campus

#### **Sexual Assault Awareness Month Activities:**

- #30DaysofSAAM Instagram Contest!
- I Ask for Consent Program
- Decorate you jeans

The College offered the following **ongoing awareness and prevention programs** for **students** in 2018/2019:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
<b>Domestic violence prevention events</b>	10/15/18	Central Campus	DoV, DaV, SA
Sexual Assault Awareness Month	The month Of April	All Campus	DoV, DaV, SA, S
YWCA racial/social justice training	11/8/18	Janesville Holiday Inn	
<b>Not Anymore training</b>	Varies--online	All campuses	S, SA, DaV, DoV

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following **ongoing awareness and prevention programs** for **employees** in 2019/2020:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
<b>Not Anymore training</b>	Varies--online	All campuses	S, SA, DaV, DoV

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

Programs are informed by evidence-based research and/or are assessed for their effectiveness. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention based apps, identifying allies, and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose, and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders.

In the event that sexual misconduct, gender-based violence, or the crimes of sexual assault, stalking, dating violence, or domestic violence do occur, the College takes the matter very seriously. Blackhawk Technical College employs interim protection measures such as interim suspensions and/or no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern, or predation. If a student is accused of sexual misconduct, other gender based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, s/he is subject to action in accordance with the Student Code of Conduct in the student handbook.

A student wishing to officially report such an incident may do so by contacting:

**Brad Smith, Manager of Campus Safety and Preparedness**  
Central Campus Room 2105  
608.743.4596

**Lynn Neitzel, Director of Teaching and Learning Resources**  
Title IX Coordinator  
Central Campus Room 2204  
608.743.4508

Anyone with knowledge about sexual misconduct, gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence is encouraged to report it immediately. Protective measures for victims are available from the campus whether a victim chooses to report to local law enforcement or campus security, and irrespective of whether a victim pursues a formal complaint through the College resolution process.

### **Reporting Options**

If you are the victim of sexual misconduct, gender-based violence, or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred: Go to a safe place and speak with someone you trust. Tell this person what happened. If there is immediate danger call 911

Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis.

- If you are on campus during regular business hours, you may go to the campus security office, as well as to Lynn Neitzel, Title IX Coordinator, or Alicia Acker, Deputy Title IX Coordinator for support and guidance. After regular business hours, or in any situation where a victim wishes, local resources are also available and may be able to provide confidential assistance:
  - Mercy Health System is the designated provider for sexual assault programs in Rock County. Their Sexual Assault Nurse Examiner (SANE) program is available 24 hours a day/ 7 days a week, and offers a complete program for children and adults, both male and female. Individuals in need of assistance should contact Mercy's Emergency Department at 608-756-6611.

- The Monroe Clinic & Hospital also offers a Sexual Assault Nurse Examiner program. Individuals should contact the Monroe Hospital Emergency Services Department at 608-324-1160.
  - Advocacy services are also available through the Sexual Assault Recovery Program of Rock, Green, & Lafayette Counties. The crisis line for Rock and Green Counties is 866-666-4576. They can also be reached at the following nonemergency numbers: Monroe 608-324-2444 or Beloit/Janesville 608-365-1244.
- For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement.
  - To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
  - As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
  - Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean **paper** bag or clean sheet to avoid contamination.
  - If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
  - Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.

- Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.
- If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify the Campus Security Office or the Campus Title IX Coordinator so that those orders can be observed on campus.
- Even after the immediate crisis has passed, consider seeking support from the YWCA (**608.752.5445**), the campus Title IX Coordinator (**608.743.4508**), and/or the Sexual Assault Recovery Program (**866.666.4576**).

Contact the Office of Safety and Security if you need assistance with College concerns, such as no-contact orders or other protective measures. The Manager of Campus Safety and Preparedness or the Evening Administrator will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities. The College is able to offer reasonable academic supports, changes to living arrangements, transportation resources or modifications, escorts, no contact orders, counseling services access, and other supports and resources as needed by a victim. The College is able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for victims.

### **Accommodations and Protective Measures Available for Victims**

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

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

having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact Lynn Neitzel, Title IX Coordinator (608-743-4508) or Alicia Acker, Deputy Title IX Coordinator (608-743-4423). If the victim wishes to receive assistance in requesting these accommodations, she or he should contact Alicia Acker, Deputy Title IX Coordinator (608-743-4423).

### **On and Off Campus Services for Victims**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, **Blackhawk Technical College** provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement.

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

Reporting of statistics under the Clery Act uses federal offenses definitions that allow comparability across campuses, regardless of the state in which the campus is located.

### **Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported**

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, protective orders, transportation and working accommodations, if reasonably available. The College will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to local law enforcement. Students and employees should contact Lynn Neitzel, Title IX Coordinator (608-743-4508) or Alicia Acker, Deputy Title IX Coordinator (608-743-4423).

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Incident Being Reported	Procedure College Will Follow
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), College will provide complainant with access to medical care</li> <li>2. College will assess immediate safety needs of complainant</li> <li>3. College will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. College will provide complainant with referrals to on and off campus mental health providers</li> <li>5. College will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. College will provide the victim with a written explanation of the victim's rights and options</li> <li>7. College will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> <li>8. College will provide written instructions on how to apply for Protective Order</li> <li>9. College will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. College will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>11. College will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>

<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. College will assess immediate safety needs of complainant</li> <li>2. College will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> </ol>
<b>Stalking</b>	<ol style="list-style-type: none"> <li>3. College will provide written instructions on how to apply for Protective Order College will assess immediate safety needs of complainant</li> <li>4. College will provide written information to complainant on how to preserve</li> <li>5. College will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. College will provide written information to complainant on how to preserve evidence</li> <li>7. College will provide the victim with a written explanation of the victim's rights and options</li> <li>8. College will assess need to implement interim or long-term protective measures to <sup>options</sup></li> <li>9. College will provide a "No trespass" (PNG) directive to accused party if deemed appropriate to protect the complainant</li> <li>10.</li> </ol>

<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. College will assess immediate safety needs of complainant</li> <li>2. College will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. College will provide written instructions on how to apply for Protective Order</li> <li>4. College will provide written information to complainant on how to preserve evidence</li> <li>5. College will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. College will provide the victim with a written explanation of the victim's rights and options</li> <li>7. College will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
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## **Assistance for Victims: Rights & Options**

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

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

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

Type of Order:	Who Can File For One:	Court:	Based On:
<b>Domestic Violence Civil Protection Order – up to 5 years, can be renewed**</b>	Family or household members including : -Spouses, former spouses -Parent, child, foster parent -People who have kids together -Intimate partners who lived together in the last 5 years -Same sex couples are eligible	Domestic Relations Court – where victim lives, where abuser lives or has a business, or where incident(s) occurred	Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for how recent the incident must be)
<b>Stalking Protection Order - up to 5 years, can be renewed**</b>	Any person who is a victim of stalking. No relationship with stalker is required.	Common Pleas Court - where victim lives (if family or household member, can be filed as DV Protection Order, see above)	Pattern of conduct (2 or more events), closely related in time, that cause distress or make a victim believe the stalker will cause harm
<b>Sexually Oriented Offense Protection Order - up to 5 years, can be renewed**</b>	Any person who was a victim of a sexually oriented offense (see ORC 2950.01). No relationship with offender is required. Case does not have to be criminally prosecuted.	Common Pleas Court – where victim lives	Sexual assault or unwanted sexual contact (see ORC 2950.01)
<b>Juvenile Protection Order – until abuser reaches age 19</b>	Victim of abuse by a person who is under age 18, or the victim’s parent or other household member, or other parties the Court approves.	Juvenile Court – where victim lives	Assault, stalking, sexual offenses, threats of harm or aggravated trespass

The Blackhawk Technical College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the College receives a report that such an institutional no contact order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

**Bystander Intervention:** Responsibility of all members of the college community to help ensure the safety of all members within the college. The intervention may be as simple as providing

words of support to another student or a faculty or staff member. It may mean more involved behaviors to let people know that action will be taken. Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list<sup>2</sup> of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

### **Risk Reduction**

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

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.

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<sup>1</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

<sup>2</sup> Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or

family member, not feeling well, having somewhere else that you need to be, etc.

**Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

16. **If you and/or the other person have been drinking,** you can say that you would rather wait

**Consent:** Consent is informed, knowing and voluntary participation in any desired sexual activity. Sexual intimacy requires that all participants consent to the activity. Consent between two or more people is defined as an affirmative agreement to engage in sexual activity. Consent can be given by words or actions, as long as those words and actions create a clear and mutually understandable permission regarding the conditions of sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of his or her actions when giving the consent. Lack of protest or resistance does not constitute consent, and silence alone cannot be interpreted as consent. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in sexual activity are responsible for obtaining consent—it should never be assumed. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Previous relationships or consent cannot imply consent to future sexual acts.

Consent must be present throughout the sexual activity—at any time, a participant can communicate that he or she no longer consents to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.

A person who is incapacitated cannot give consent to engage in sexual activity. The issue is whether a reasonable unimpaired person would know that the other person was incapacitated. Incapacitation can result from alcohol or other drug use, unconsciousness, blackout, mental disability, sleep, involuntary physical restraint, or from being drugged. A respondent cannot defend a violation of this policy by claiming that he or she was impaired from alcohol or drug use and unable to tell whether the complainant was incapacitated. Wisconsin law also states the following individuals are not able to provide consent:

- Individuals who are asleep or unconscious
- Individuals who are unable to communicate consent because of a mental or physical condition
- Generally minors under the age of 16

BTC may conclude that an instance of sexual contact was sexual assault, because it was without another person's consent, even if that conduct would not meet the standard of a criminal sexual assault. For example, it is possible the College would conclude under some circumstances that a person who was intoxicated on alcohol could not consent, and therefore, did not give consent to sexual contact, even though the criminal courts might not reach the same conclusion

**Coercion:** An unreasonable amount of pressure, harassment, threats, intimidation. When someone makes clear that he or she does not want to engage in sexual conduct, wants it to stop, or does not wish to go past a certain point of sexual interaction, continued pressure beyond that point is coercive.

**Dating Relationship:** Dating violence is inappropriate conduct when the parties involved are, or have been, in a romantic or intimate relationship and does not include a causal relationship between two individuals in a business or social context. Whether a relationship exists will depend on the length, type, and frequency of interaction.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- A. The existence of such a relationship
- B. Shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- C. For the purposes of this definition:
  - i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. ii. Dating violence does not include acts covered under the definition of domestic violence.
- D. For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Domestic Violence:** A felony or misdemeanor crime of violence committed:

- A. By a current or former spouse or intimate partner of the victim;
- B. By a person with whom the victim shares a child in common;
- C. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- D. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or E. By any other person against an adult or youth victim who is protected

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

**Hate Crime:** The victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

**Hostile Environment:** Hostile Environment includes any situation in which there is harassing conduct that is sufficiently severe, persistent or pervasive such that it alters the conditions of employment or limits, interferes with or denies educational benefits or opportunities, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint.

- The determination of whether an environment is "hostile" must be based on all of the circumstances listed here. These circumstances may include, but are not limited to:
- The frequency of the conduct
- The nature and severity of the conduct
- Whether the conduct was physically threatening
- Whether the conduct was humiliating
- The effect of the conduct on the alleged victim's mental or emotional state
- Whether the conduct was directed at more than one person
- Whether the conduct arose in the context of other discriminatory conduct
- Whether the conduct unreasonably interfered with the alleged victim's educational or work performance

**Relationship Violence:** Relationship violence is conduct in which the parties involved know each other or had a prior relationship and may include acquaintance rape, dating violence and domestic violence.

**Retaliation:** Directly or indirect pressure against a person who has, in good faith, filed, supported, or participated in an investigation of a complaint of sexual misconduct, as defined above, is prohibited. Retaliation includes, but is not limited to, ostracizing the person, pressuring the person to drop or not support the complaint, or to provide false or misleading information, or engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment. This does apply to any third-party that acts on behalf of a respondent.

**Sex Offenses:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

- A. **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- B. **Fondling** is defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

D. **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

**Sexual Assault:** Defined very broadly by criminal law. It includes a wide variety of conduct from sexual intercourse to sexual contact, without the consent of the other person. Criminal sexual contact can be as limited as a single instance of touching a woman's breast, buttocks, or genital area, or touching a man's buttocks or genital area, without that person's consent, even if the person touched is fully clothed. Other examples of sexual assault include rape, acquaintance rape, forcible fondling, sodomy (oral or anal intercourse), and sexual penetration with an object.

**Sexual Exploitation:** Involves taking non-consensual sexual advantage of another person, even though the behavior might not constitute one of the other sexual misconduct offenses. Examples can include, but are not limited to the following behaviors:

- Distribution or publication of sexual or intimate information about another person without consent, including by means of social media
- Electronic recording, photographing, or transmitting sexual or intimate utterances, sounds, or images without knowledge and consent of all parties
- Engaging in indecent exposure
- Voyeurism - Voyeurism involves both secretive observation of another's sexual activity and secretive observation of another for personal sexual pleasure
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex)

**Sexual Harassment:** Sexual Harassment is defined as unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that has the effect of unreasonably interfering with, denying or limiting someone's ability to participate in, or benefit from the College's educational program and/or activities and is based on power differentials. This policy prohibits conduct that would violate Federal and State laws. Sexual harassment includes:

- Unwelcome sexual advances or requests for sexual favors
- Unwelcome verbal or physical conduct of a sexual nature
- Making submission to, or rejection of, such conduct a factor in academic or employment decisions affecting the student or employee
- Permitting such conduct to unreasonably interfere with a student's academic performance or an employee's work performance

- Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature or submission to or rejection of such conduct results in adverse educational or employment action (Quid pro quo)
- Adverse educational or employment action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct (retaliatory harassment)

**Examples of Sexual Harassment:** • An instructor insists that a student have sex with him or her in exchange for a good grade. This is harassment regardless of whether or not the student submits to the request

- A student repeatedly sends sexually oriented jokes through social media, even when asked to stop, causing one recipient to avoid the sender
- Explicit sexual pictures are displayed in an instructor's office, on a bulletin board in a lab or on a computer monitor in a public space
- An instructor engages students in discussions about their past sexual experiences, yet the conversation is not in any way relevant to the subject matter of the class. An instructor probes for explicit details and demands that students answer although they are clearly uncomfortable and hesitant
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend turning him into a social outcast on campus

**Sexual Misconduct:** Sexual misconduct is a broad term encompassing any non-consensual behavior of a sexual nature that is committed by force or intimidation, or that is otherwise unwelcome.

Sexual misconduct includes:

- sexual assault
- sexual exploitation
- sexual harassment
- stalking
- relationship violence (domestic and dating)
- hostile environment

Sexual misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors. It can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can occur between members of the same or different gender and can also occur while individuals are fully clothed.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- A) Fear for the person's safety or the safety of others; or
- B) Suffer substantial emotional distress.

*Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

*Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

*Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

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

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

**Student:** Any person who is currently attending and/or enrolled for a course of study, including continuing education, adult and basic skills education, and credit programming with Blackhawk Technical College.

### **Other misconduct offenses (when gender based)**

Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally.

### **Wisconsin State Statutes on Sexual Assault**

In the interest of protecting students and staff, Blackhawk Technical College requires that all students and staff should be aware of the provisions of the Wisconsin sex offense laws and the penalties.

#### **940.225 Sexual Assault**

**First Degree Sexual Assault:** Whoever does any of the following is guilty of a Class B felony:

- a. Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
- b. Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.

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

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

**Second Degree Sexual Assault:** Whoever does any of the following is guilty of a Class C felony:

- a. Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- b. Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.
- c. Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct and the defendant knows of such condition.
- d. Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
- e. Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without the consent of that person.
- f. Is an employee of an inpatient facility or a state treatment facility and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility.

Penalty for second degree sexual assault is imprisonment for no more than ten years and/or a fine of not more than \$10,000.

**Third Degree Sexual Assault:** Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class D felony.

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

**Fourth Degree Sexual Assault:** Whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

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

Sexual misconduct undermines the integrity of the academic environment. It is the policy of Blackhawk Technical College that sexual misconduct is prohibited. All members of the College community, especially officers, faculty, and other individuals who exercise supervisory authority, have an obligation to promote an environment that is free of sexual harassment and misconduct.

Blackhawk Technical College is bound by and supports all applicable laws related to sexual misconduct.

The Campus Sexual Violence Elimination Act (SAVE) of 2013 and Violence Against Women Reauthorization Act (VAWA) ensures that colleges and universities implement policies and programs to prevent sexual assault, dating violence, domestic violence, and stalking. The Title IX Coordinator position oversees all sex discrimination, sexual harassment, and sexual assault and relationship violence complaints at the College, and was created to promote an environment that is free of gender bias and misconduct. The Title IX Coordinator is responsible for conducting an annual report and review of complaints to ensure compliance with Title IX, make improvements, and identify any patterns or systemic problems within the College community.

The Title IX Coordinator serves as a neutral administrator and resource to employees and students to answer questions, to coordinate reporting and handling of complaints, to review internal disciplinary proceedings and remedies, to provide education, training, and guidance to public safety, student development, human resources, and other personnel involved with investigations and disciplinary proceedings.

#### **Title IX Coordinator:**

Lynn Neitzel, Director of Teaching and Learning Resources  
Central Campus, Room 2204  
(608) 743-4508  
[lneitzel@blackhawk.edu](mailto:lneitzel@blackhawk.edu)

BTC has designated Deputy Title IX Coordinators to assist the Title IX Coordinator. A Title IX Deputy Coordinator is responsible for assisting the Title IX Coordinator to conduct training, climate assessments, and facilitate communications on behalf of the College with the student or employee who reports a violation, the respondent, and with any administrators responsible for administering this policy.

#### **Deputy Title IX Coordinator**

Alicia Acker, Career Services and Leadership Development Coordinator  
Central Campus, Student Services, Room 225  
608-743-4423  
[aacker@blackhawk.edu](mailto:aacker@blackhawk.edu)

Any complaints or inquiries regarding sexual harassment of a student by an officer, faculty member, or staff member should be brought to the immediate attention of

Any complaints or inquiries regarding sexual harassment of a student by another student should be brought to the immediate attention of Alicia Acker.

Blackhawk Technical College will investigate such claims promptly and thoroughly. If, for any reason, a student wishes to complain or inquire regarding sexual harassment, but feels it would not be appropriate to raise such issues with the positions named above, the student may inquire or complain to any academic dean or any officer of the College at the level of Vice President or above, and such inquiries or complaints will receive a prompt and thorough investigation. If harassment is established, BTC will discipline the offender. Disciplinary action for violations of this policy can range from verbal or written warnings, up to and including immediate termination from employment or dismissal from the College for serious or repeated violations.

In addition to the above notice to the State of Wisconsin, all sex offenders are encouraged to deliver written notice of their status as a sex offender to the Manager of Campus Safety and Preparedness no later than three (3) business days prior to their enrollment in, employment with or volunteering at the College. Such notification may be disseminated by the College to, and for the safety and well-being of, the BTC community, and may be considered by the College for enrollment and discipline purposes.

### **Campus Procedures for Addressing Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment, And Other Acts of Sex and Gender Discrimination**

For offenses including sexual misconduct or other gender based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct, and stalking, sanctions range from warning to expulsion. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion, or termination of employment. Lying to investigators (and/or failing to participate in an investigation) can result in additional consequences under the Code of Student Conduct.

### **Confidentiality**

The investigation and records of the resolution conducted by Blackhawk Technical College are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation is maintained in accordance with Wisconsin law and the federal FERPA statute. Any public release of information needed to comply with the open crime logs or timely warning provisions of the Clery Act will not include the names of victim or information that could easily lead to a victim's identification. Additionally, BTC maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty

members or administrators are asked to provide accommodations for a specific student, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident, or what kind of incident it is. Irrespective of state law or public records access provisions, information about victims is maintained privately in accordance with Title IX and FERPA.

Victims may request that directory information on file with the College be withheld by request. This request can be made through the office of the Deputy Title IX Coordinator.

Regardless of whether a victim has opted-out of allowing BTC to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures.

### **Adjudication of Violations**

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence, or other sex or gender-based discrimination covered under the federal law (VAWA), Title IX, the College’s disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the College’s policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

Furthermore, each policy provides that:

- The person bringing the accusation and the responding party are entitled to the same opportunities for a support person of their choice throughout and to fully participate in the process, including any meeting, conference, hearing, appeal, or other procedural action. The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to supporting the accuser or the accused in a non-legal manner and

cannot in any way persuade the proceedings, offer personal opinions or speak on behalf of the accused or the accuser;

- The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
- The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
- The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
- Once complete, the parties will be informed, simultaneously in writing, of the outcome, including the finding, the sanctions (if any), and the rationale therefor of the result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking. Delivery of this outcome to the parties will occur without undue delay between notifications;
- All parties will be informed of the College's appeal processes simultaneously in writing, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be simultaneously informed in writing, and will be notified simultaneously in writing when the results of the resolution process become final.

Both Title IX and the Clery Act provide protections for whistleblowers who bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. The College does not retaliate against those who raise concerns of noncompliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator, Lynn Neitzel, and/or to officials of the U.S. Department of Education.

### **Gender discrimination and sexual misconduct addendum**

#### **Overview of expectations with respect to consensual relationships**

There are inherent risks in any romantic or sexual relationship between individuals with unequal authority (such as an Instructor and student or supervisor and employee). These relationships may be less consensual than perceived by the individual whose position has the authority. The relationship also may be viewed in different ways by each of the individuals, particularly in retrospect. Furthermore, circumstances may change, and conduct previously welcomed may become unwelcome and a consensual romantic or sexual relationship may no longer be consensual for both individuals. For the personal protection of all individuals associated with BTC, relationships in which there may be real or perceived authority (Instructor-student, staff student, administrator-student) are prohibited.

A consensual romantic or sexual relationship in which there is a direct supervisory or evaluative role over another individual is in violation of the Code of Conduct. Therefore, persons with

direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the immediate attention of their supervisor so arrangements to remedy the supervisory or evaluative conflict can be implemented.

### **Title IX Coordinator**

The Title IX Coordinator position has been established to oversee all sex discrimination, sexual harassment, and sexual assault and relationship violence complaints at the College, and to promote an environment that is free of gender bias and misconduct. The Title IX Coordinator is responsible for conducting an annual report and review of complaints to ensure compliance with Title IX, make improvements, and identify any patterns or systemic problems within the College Community. The Title IX Coordinator serves as a neutral administrator and resource to students and employees to answer questions, to coordinate reporting and handling of complaints, to review internal disciplinary proceedings and remedies, to provide education, training, and guidance to public safety, student development, human resources and other personnel involved with investigations and disciplinary proceedings.

### **Title IX Coordinator**

Lynn Neitzel, Director of Teaching and Learning Resources  
Central Campus, Room 2204  
(608) 743-4508  
[lneitzel@blackhawk.edu](mailto:lneitzel@blackhawk.edu)

### **Title IX Deputy Coordinator**

The College has a designated Deputy Title IX Coordinator to assist the Title IX Coordinator. A Title IX Deputy Coordinator is responsible for assisting the Title IX Coordinator to conduct training, climate assessments, and facilitate communications on behalf of the College with the student or employee who reports a violation, the respondent, and with any administrators responsible for administering this policy.

Alicia Acker, Career Services and Leadership Development Coordinator  
Central Campus, Student Services, Room 2225  
608-743-4423  
[aacker@blackhawk.edu](mailto:aacker@blackhawk.edu)

## **Non-confidential Reporters**

All Blackhawk Technical College employees have an obligation to report to a Title IX Coordinator, information regarding sexual misconduct incidents made known to them, or that they have reasonable cause to suspect that such conduct might have occurred. Employees are required to caution students about confidentiality issues and to advise students that the employee is required to report potential or alleged violations of this policy. Even if a student refuses to file a complaint with the College or the police or participate in a disciplinary proceeding, the College may need to further investigate reports of sexual misconduct. To the extent possible, student privacy will be maintained and information will only be shared with individuals on a "need to know" basis.

If you are unsure of someone's responsibilities and duties for maintaining your privacy, ask them BEFORE you talk to them. They should be able to tell you and help you make decisions about who can best help you while maintaining your privacy.

## **Training**

Sexual misconduct awareness and prevention training takes place during Advising, Registration and Orientation sessions. Additional trainings and offerings are available online and through Student Engagement activities and programming. Resources and training materials can be found on the BTC web site, student portal and in other publications. In accordance with BTC's mission and vision, as well as Federal guidelines, training about the policy and procedures regarding sexual assault and relationship violence is required for all students, instructors, and staff. Best practices identified through the United States Department of Education and Violence Against Women Act (VAWA) are used to develop awareness programming.

Bystander Intervention training will provide resources to assist students when faced with a situation and to safely intervene if someone is at risk of being assaulted. In addition, the College will periodically conduct a campus climate survey to gain a stronger understanding of social issues impacting students, and the effectiveness of College prevention efforts, policies, and resources that address them.

## **BTC Policy Application**

BTC's policy to address cases of alleged sexual misconduct is designed to:

- Consider the rights of the complainant, the rights of the respondent, the safety of the community, and compliance with applicable laws and College policies
- Conduct a timely, fair, impartial, and equitable investigation and adjudication process with thoroughness and respect for all involved parties
- Protect the privacy of all parties to the extent practical, while balancing the need to perform an investigation, follow the procedures outlined below, comply with applicable law, and maintain campus safety
- Provide appropriate remedies and sanctions to address the discriminatory effects of sexual misconduct on the complainant and others

- Support the needs of the complainant and respondent in the areas of emotional and mental health, physical well-being, and safety from future violence or retaliation

BTC specifically prohibits all forms of sexual misconduct and violence including, but not limited to, rape, acquaintance rape, sexual assault, sexual harassment, dating violence, domestic violence, stalking, and hate crimes between or against members of its college community.

Toward that end, BTC issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official.

This policy will apply regardless of whether a criminal proceeding has been initiated, the conduct occurred on campus, or involved a College sponsored activity. The College will take appropriate measures to address violations of this policy in a manner that is reasonable to prevent such conduct from recurring and to minimize the effects on victims and the BTC community. Retaliation for filing a report or complaint or for participating in a related investigation or disciplinary proceeding is also a violation of this policy.

In instances where a complaining party insists on confidentiality, it may limit the College's ability to respond. Depending upon the circumstances, the College may not be able to ensure confidentiality because of its obligation to provide a safe and non-discriminatory environment for all students. Factors that may impact the request include the seriousness of the alleged conduct and whether there have been other complaints about the same individual. Confidential resources available to consult with students are listed in this policy.

Once a BTC employee (non-confidential reporter) has either been told or should have known about an incident(s) of sexual harassment or sexual misconduct, BTC will:

- Take immediate and appropriate steps to investigate what occurred
- Take prompt and effective action to:
  - Stop the harassment
  - Remedy the effects of the behavior
  - Prevent the recurrence of said behavior

### **Employee Complaint Procedure**

Blackhawk Technical College (BTC) is bound by and supports all applicable laws related to sexual misconduct. The Campus Sexual Violence Elimination Act (SAVE) of 2013 and

Violence Against Women Reauthorization Act (VAWA) ensures that colleges and universities implement policies and programs to prevent sexual assault, dating violence, domestic violence, and stalking.

BTC strives to provide a safe and welcoming campus environment and prohibits all forms of sexual misconduct and violence including, but not limited to, rape, acquaintance rape, sexual assault, sexual harassment, dating violence, domestic violence, stalking, and hate crimes between or against members of its college community. This policy will apply regardless of whether a criminal proceeding has been initiated, the conduct occurred on campus, or involved a College sponsored activity. The College will take appropriate measures to address violations of this policy in a manner that is reasonable to prevent such conduct from recurring and to minimize the effects on victims and the BTC community. Retaliation for filing a report or complaint or for participating in a related investigation or disciplinary proceeding is also a violation of this policy.

Any employee who believes he/she or another has been subject to or witnessed sexual misconduct (harassment) is encouraged to promptly come forward to file a complaint with the College. If the complaint is made in writing, the complainant alleging the sexual misconduct will be asked to sign the statement. If the complaint is made verbally, then the complainant will be requested to sign a written report acknowledging the content of the statement. All reports must include details regarding the incident or conduct giving rise to the complaint, locations and dates of the incident, any witnesses to the alleged incident and any action requested to resolve said incident. If the Title IX Deputy Coordinator is alleged to be the person that engaged in discrimination or sexual misconduct, the incident will be investigated by the Title IX Coordinator.

Verbal or written complaints may be submitted to the Title IX Deputy Coordinator or the Title IX Coordinator.

**Lynn Neitzel, Title IX Coordinator, Director of Teaching and Learning Resources**

Central Campus, Room 2204  
608-743-4508  
lneitzel@blackhawk.edu

If the complainant requests confidentiality or requests that the complaint not be pursued, (or trained investigator) will take all reasonable steps to investigate the complaint and respond consistently with the complainant's request. If the College determines that an investigation needs to continue, the alleged respondent will be told that the complainant requested the College to not proceed. Information will only be shared with individuals responsible for addressing incidents of sexual misconduct. Prior to disclosing information, the complainant will be notified of the information to be disclosed, whom it will be disclosed to, and why the information needs to be disclosed. Honoring a request for confidentiality may limit the College's ability to respond to the allegation, including pursuing sanctions and remedies against the respondent(s). In addition, the College will need to determine if the confidentiality request can be honored while providing a safe and non-discriminatory environment. Requests for confidentiality will be evaluated in the

context of the College's responsibility to provide a safe and nondiscriminatory environment for all students and staff.

A complainant has the option to file a criminal report with a local law enforcement agency at any time.

The College will not condone false reporting. Any person that makes a report that is later found to have been intentionally given falsely or maliciously without respect for the truth may be subject to discipline and/or termination of employment.

### **Initial Remedies**

Prior to initiating an investigation, the Title IX Deputy Coordinator will meet with the complainant to explain the investigation process and the eventual resolution process to the employee. The College Title IX Deputy Coordinator will encourage him/her to participate fully in the investigation and hearing processes as well as provide a list of resources. Employees will also be notified of their rights and the process to file a complaint with local law enforcement.

If necessary, initial remedial actions will be discussed such as:

No contact agreement or directive between complainant and respondent;

- Change in academic and office assignment situations if requested by complainant or respondent and reasonably available, for the complainant and respondent;
- Request for leave of absence.

### **Preliminary Investigation**

Throughout the investigation, appropriate support for the complainant and respondent will be provided. Complainants and respondents will be informed of campus and community resources, including counseling and other health services. These options will be made available to the individual regardless of whether he or she proceeds with a formal complaint under BTC College policy or files a criminal report or complaint with the police. In compliance with guidelines distributed by Office of Civil Rights (OCR), in their 2011 Dear Colleague Letter, BTC uses a "preponderance of the evidence" (more likely than not) standard for determining responsibility. This is different than the standard used in a criminal investigation.

A preliminary investigation will be conducted to determine if there is reasonable cause to believe a policy was violated. If no reasonable grounds for the complaint are found, the Title IX Deputy

Coordinator for Employees will dismiss the case. The complainant will be informed why the conduct does not constitute sexual misconduct and voluntary, informal methods may be used to resolve the complaint. If it is determined by the Title IX Coordinator Deputy Coordinator that there may be some validity to the allegation, a formal investigation will begin immediately.

### **Sanction Statement**

The College reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct to protect employees' rights and personal safety. Such measures include, but are not limited to, work modifications, schedule modifications, interim suspension from campus pending a hearing, and reporting the matter to the local police.

Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the College reserves the right to impose different sanctions, ranging from verbal warning to termination of employment, depending on the severity of the offense. Previous violations will be considered in determining the appropriate sanction. The College will consider the concerns and rights of both the complainant and the respondent of sexual misconduct.

The Title IX Deputy Coordinator has the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. The initial investigative team, appeals body, or designee may not deviate from the range of recommended sanctions unless there is compelling justification to support a deviation.

### **Formal Investigation Process**

The following process will be used to further investigate allegations:

1. Upon receiving a complaint, the Title IX Deputy Coordinator will facilitate a fact-finding investigation which will include assigning a trained Title IX investigator to review the complaint. The Title IX Deputy Coordinator and/or a trained Title IX investigator will conduct interviews with the complainant, respondent, and other appropriate individuals. The investigation will be prompt, thorough, and impartial.
2. The intent of the interview with the complainant, respondent, and potential witnesses is to determine a true and complete account of the complaint. The following information will be sought during the interview process:
  - The facts and circumstances of the alleged misconduct;
  - The severity of the conduct;
  - The number and frequency of acts of alleged misconduct;
  - The apparent intent of the person alleged to have engaged in sexual misconduct;
  - The relationship of the parties;
  - The response of the complainant at the time of the incident(s); and

- The relevant educational/work environment.
3. Periodic updates to the complainant and the respondent will be provided during the entire process.

All persons involved in a sexual misconduct investigation will be reminded that the incident is not to be discussed and that retaliatory action against the complainant, respondent, or witnesses will not be tolerated.

The Title IX Deputy Coordinator will submit a summary of the report to the College's Title IX Coordinator and another report to the Manager, Director, or Dean of the department detailing the allegations, evidence collected, and statements from the complainant, respondent, and any relevant witnesses to the conduct. The report will include the Title IX Deputy finding as well as any recommendations for sanctions, if warranted.

A written record of the investigation will be made, including all notes made of interviews, conversations, or verbal responses to questions posed by the Title IX Investigator(s) to the complainant, witnesses, or respondent, and any other aspects of the investigation.

The Manager, Director or Dean of the department will review the investigative report, evidence, and all known circumstances from the Deputy Title IX Coordinator and make a final determination. The preponderance of the evidence standard (i.e., it is more likely than not that sexual harassment or violence occurred) will be used to investigate allegations of sexual harassment or violence, including cases related to Stalking, Domestic Violence and Dating Violence.

Potential sanctions for employees who are found responsible for acts of sexual misconduct could be, but are not limited to, the following:

Disciplinary action, up to and including, termination of employment of a person found responsible for violating these policies;

- Referral to law enforcement when there is danger or threat to community and/or when requested by victim;
- Referral to counseling or mental health in the community.

Communication from the Title IX Deputy Coordinator regarding the outcome will be shared with the complainant and the respondent. An employee who disagrees with the findings of responsibility or the sanctions levied may choose to request an appeal to the College President or

Title IX Coordinator. The request for an appeal must be made in writing to the Title IX Deputy Coordinator and the President or Title IX Coordinator within ten business days of the Title IX Deputy Coordinator decision.

### **Appeal Process**

All employees have the right to appeal disciplinary decisions. Appeal requests must be made in writing to the College President within ten business days after verbal or written notification of the decision or sanction. An employee may appeal for two reasons, which include: Procedural error/failure to uphold the employee's rights that may substantially alter the outcome of the decision; or,

- New evidence that was unknown or not knowable at the time of the investigation and/or hearing.

An appeal must include the following information:

The name, address, and telephone number of the party; and

- A clear statement explaining the nature and circumstances of the appeal, detailing the procedural error/failure to uphold the employee's rights that may substantially alter the outcome of the decision or citing the new evidence which was unknown or not knowable at the time of the investigation and/or hearing.

The College President will render and cause a decision to be sent to the employee within seven (7) business days after receipt of the appeal. The appeal decision shall be considered final.

Appeals will be conducted in accordance with the following guidelines:

The employee will be provided a full and fair opportunity to present evidence relevant to the issues raised by the employee relating to the subject matter of the appeal;

- All parties have the right to be assisted by legal counsel at any time during the process; •  
The decision will be:
  - Provided in writing;
  - Based solely on the evidence presented in the appeal notice and will include a summary of the evidence and the reasons for the decision.

### **Rights**

The preponderance of evidence standard (more likely than not) is used to evaluate complaints.

The complainant and the respondent are entitled to the same opportunities to have others present during a campus disciplinary proceeding. All parties are permitted to have representatives in all stages of the process. Notice of representation should be made to the Title IX Coordinator.

Both the complainant and the respondent will be informed of the outcome of any campus disciplinary proceeding alleging sexual misconduct.

Complaints will be investigated by a trained Title IX Investigator and/or Title IX Coordinator or Deputy Coordinator.

BTC will respond promptly, equitably and thoroughly to all incident reports following the written receipt of the complaint, barring any unusual circumstances.

The decision of the Title IX Deputy Coordinator for Employees or Title IX Coordinator may be appealed to the College President, whose decision is final. If the complaint is against the President, the decision may be appealed to the College's Board of Trustees, whose decision is final. Complaints against one of the Title IX Coordinators will be investigated and decided by a person appointed by the Director of Student Services or the Executive Director/Chief of Human Resources. The appeal must be made, in writing, within five (5) business days after the decision has been made.

The College recognizes the right of all parties involved in a complaint to a fair and equitable resolution of complaints. Falsification, distortion or misrepresentation of information during the course of a complaint resolution process may be grounds for disciplinary action and/or termination of employment.

### **Student Complaint Procedure**

Any student who believes he/she or another student has been the victim of any form of sexual misconduct is encouraged to file a complaint identifying the alleged individual and describing the conduct, incident(s) or occurrence(s) that form the basis for the complaint. Students may file complaints with any BTC College employee, who will then notify the Title IX Coordinator/Deputy Title IX Coordinator for students. If the Title IX Coordinator or Deputy Title IX Coordinator for Students is alleged to be the person who engaged in discrimination or sexual misconduct, the incident will be investigated by the Deputy Title IX Coordinator for Employees.

Any BTC staff member can help with filling out the incident report. It is preferred that the complaint be submitted via an electronic incident report. Incident reports can be found at: <http://www.blackhawk.edu/>

If, due to a disability, accommodations are needed to assist the student with filing a complaint, please contact: Accommodation Services at (608) 757-7796. The complainant is encouraged to

file the complaint as soon as possible after the incident to ensure a prompt and effective due process for all the parties involved in the situation.

If the complainant requests confidentiality or requests that the complaint not be pursued, the Deputy Title IX Coordinator for Students (or other trained investigator) will take all reasonable steps to investigate the complaint and respond consistently with the complainant's request. If the College determines that an investigation needs to continue, the alleged respondent will be told that the complainant requested the College to not proceed. Information will only be shared with individuals responsible for addressing incidents of sexual violence. Prior to disclosing information, the complainant will be notified of the information to be disclosed, whom it will be disclosed to, and why the information needs to be disclosed. Honoring a request for confidentiality may limit the College's ability to respond to the allegation, including pursuing sanctions and remedies against the respondent(s). In addition, the College will need to determine if the confidentiality request can be honored while providing a safe and non-discriminatory environment.

The College will take steps to maintain confidentiality of persons reporting incidents of sexual misconduct and relationship violence in records available for public inspection by using alternative means of identification and not including personally identifiable information in the annual campus security report, campus crime log, and emergency warning notices required under the Clery Act. Requests for confidentiality will be evaluated in the context of the College's responsibility to provide a safe and nondiscriminatory environment for all students.

A complainant has the option to file a criminal report with a local law enforcement agency. The BTC Title IX Investigator/Security Department will offer to provide assistance if the individual elects to contact the police. Declining to speak with an investigator or the police at the time of the initial report does not prevent the individual from filing a criminal report or a Title IX complaint at a later date. The BTC Security Department may seek the assistance of local law enforcement agencies in the investigation.

The College will not condone false reporting. Any person who makes a report that is later found to have been intentionally given falsely or made maliciously without respect for the truth may be subject to suspension or expulsion.

### **Initial Remedies**

Prior to initiating an investigation, the Title IX Coordinator/Deputy Title IX Coordinator will meet with the complainant to explain the investigation process and the eventual resolution process to the student. The College Title IX Coordinator/Deputy Title IX Coordinator will encourage him/her to participate fully in the investigation and hearing processes as well as provide a list of resources. Students will also be notified of their rights and the process to file a complaint with local law enforcement.

If necessary, initial remedial actions will be discussed such as:

- No contact agreement between complainant and respondent

- Change in academic and office assignment situations if requested by complainant or respondent and reasonably available, for the complainant and respondent
- Absence and assignment requirements
- Request for leave of absence or withdrawal
- Plan to address safety concerns

### **Preliminary Investigation**

Throughout the investigation, appropriate support for the complainant and respondent will be provided. Complainants and respondents will be informed of campus and community resources, including counseling and other health services. These options will be made available to the individual regardless of whether he or she proceeds with a formal complaint under BTC College policy or files a criminal report or complaint with the police. In compliance with guidelines distributed by Office of Civil Rights (OCR), in their 2011 Dear Colleague Letter, BTC uses a "preponderance of the evidence" (more likely than not) standard for determining responsibility. This is different than the standard used in a criminal investigation.

A preliminary investigation will be conducted to determine if there is reasonable cause to believe a policy was violated. If no reasonable grounds for the complaint are found, the Title IX Coordinator will dismiss the case. The complainant will be informed why the act does not constitute sexual misconduct and voluntary, informal methods may be used to resolve the complaint. If it is determined by the College Title IX Coordinator that there may be some validity to the allegation, a formal investigation will begin immediately.

### **Sanction Statement**

The College reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct to protect students' rights and personal safety. Such measures include, but are not limited to, class schedule modifications, interim suspension from campus pending a hearing, and reporting the matter to the local police.

Not all forms of sexual misconduct will be deemed to be equally serious offenses and the College reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. Previous conduct code violations will be considered in determining the appropriate sanction. The College will consider the concerns and rights of both the complainant and the respondent of sexual misconduct.

The Title IX Coordinator has the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. The initial

investigative team, appeals body, or designee may not deviate from the range of recommended sanctions unless there is compelling justification to support a deviation.

### **Formal Investigation Process**

The following process will be used to further investigate allegations:

Upon receiving a complaint, the Deputy Title IX Coordinator for Students will facilitate a fact finding investigation which will include assigning a trained Title IX investigator to review the complaint. The Deputy Title IX Coordinator for Students and/or Staff and/or a trained Title IX investigator will conduct interviews with the complainant, respondent, and other appropriate individuals. The investigation will be prompt, thorough and impartial.

The intent of the interview with the complainant, respondent and potential witnesses is to determine a true and complete account of the complaint. The following information will be sought during the interview process:

- The severity of the conduct
- The number and frequency of acts of alleged harassment
- The apparent intent of the person alleged to have engaged in sexual misconduct
- The relationship of the parties
- The response of the complainant at the time of the incident(s)
- The relevant educational/work environment

Periodic updates to the complainant and the respondent will be provided during the entire process.

All persons involved in a sexual misconduct investigation will be reminded that the incident is not to be discussed and that retaliatory action against the complainant, respondent or witnesses will not be tolerated.

The Deputy Title IX Coordinator for Students will submit a report to the College Title IX Coordinator detailing the allegations, evidence collected, and statements from the complainant, respondent and any relevant witnesses to the conduct. The report will include the Deputy Title IX Coordinator for Students finding as well as any recommendations for sanctions, if warranted.

A written record of the investigation will be made, including all notes made of interviews, conversations, or verbal responses to questions posed by the Title IX Investigator(s) to the complainant, witnesses or respondent, and any other aspects of the investigation.

The College Title IX Coordinator will review the investigative report, evidence and all known circumstances from the Deputy Title IX Coordinator for Students and make a final determination. The preponderance of the evidence standard (i.e., it is more likely than not that sexual harassment or violence occurred) will be used to investigate allegations of sexual harassment or violence.

Potential sanctions for students who are found responsible for acts of sexual misconduct could be, but are not limited to, the following:

- Disciplinary action, up to and including, expulsion of a person found responsible for violating these policies
- Referral to law enforcement when there is danger or threat to community and/or when requested by victim
- Referral to counseling, mental health, and student services both on campus and in the community

Communication from the Title IX Coordinator regarding the outcome is communicated to the complainant and the respondent.

A student who disagrees with the findings of responsibility or the sanctions levied may choose to request an appeal to the Director of Student Services. The request for an appeal must be made in writing to the Title IX Coordinator and the Director of Student Services within ten academic days of the Title IX Coordinator's decision.

### **Appeal Process**

All students have the right to appeal disciplinary decisions. Appeal requests must be made in writing to the Director of Student Services within five (5) academic days after verbal or written notification of the decision or sanction. A student may appeal for two reasons which include:

- Procedural error/ failure to uphold the student's rights that may substantially alter the outcome of the decision
- New evidence that was unknown or unknowable at the time of the investigation and decision

An appeal must include the following information:

- The name, address and telephone number of the party
- A clear statement explaining the nature and circumstances of the appeal, citing the new evidence and/or the explanation with specifics of the alleged lack of fairness in the prior hearing.

The Director of Student Services will render and cause a decision to be sent to the student within three (3) academic days after receipt of the appeal. The appeal decision shall be considered final.

Appeals will be conducted in accordance with the following guidelines:

- The student will be provided a full and fair opportunity to present evidence relevant to the issues raised by the student relating to the subject matter of the appeal
- The Director of Student Services will issue a decision on the hearing within ten (10) days of the conclusion of the hearing

- All parties have the right to be assisted by legal counsel at any time during the process

The decision will be:

- Provided in writing
- Based solely on the evidence presented in the appeal notice and will include a summary of the evidence and the reasons for the decision

### **Rights**

The preponderance of evidence standard (more likely than not) is used to evaluate complaints.

The complainant and the respondent are entitled to the same opportunities to have others present during a campus disciplinary proceeding. All parties are permitted to have representatives in all stages of the process. Notice of representation should be made to the Title IX Coordinator. Both the complainant and the respondent will be informed of the outcome of any campus disciplinary proceeding alleging sexual misconduct.

Complaints will be investigated by a trained Title IX Investigator and or Title IX Coordinator or Deputy Coordinator. BTC will respond promptly, equitably and thoroughly to all incident reports following the written receipt of the complaint, barring any unusual circumstances.

The decision of the Title IX Coordinator may be appealed to the Director of Student Services , whose decision is final. If the complaint is against the Director of Student Services, the decision may be appealed to the President. If the complaint is against the President, the decision may be appealed to the Board of Trustees, whose decision is final. Complaints against one of the Title IX Coordinators will be investigated and decided by a person appointed by the Director of Student Services. The appeal must be made, in writing, within ten (10) business days after the decision has been made.

The College recognizes the right of all parties involved in a complaint to a fair and equitable resolution of complaints. Falsification, distortion or misrepresentation of information during the course of a complaint resolution process may be grounds for disciplinary action.

### **Disclosures FERPA Exemptions:**

The final results of a disciplinary proceeding will be disclosed to the alleged victim. This includes the charges, the finding, the sanction(s) related to the victim and the rationale for the decision. BTC may not disclose the name of any other student, including the complainant or witness, without prior written consent of the student. More information on disclosure and redisclosure limitations can be found in the student handbook.

The final results of a disciplinary proceeding can be disclosed to anyone if BTC determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense; and with respect to the allegations made against him or her, the student has committed a violation of the institution's rules or policies.

However, BTC may not disclose the name of any other student, including a victim or witness, without the prior written consent of the other student. This disclosure is not subject to the redisclosure limitation and notice requirements otherwise identified in FERPA.

### **College-Initiated Protective Measures**

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a College order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.<sup>3</sup> Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Blackhawk Technical College.

### **Notification to Victims of Crimes of Violence**

The College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **The Act**

The Campus SaVE Act (the "SaVE Act" or "Act") applies to almost all institutions of higher education since it is directed toward those that participate in financial aid programs under Title IV of the Higher Education Act of 1965. It became effective on March 7, 2013 as part of the Violence Against Women Reauthorization Act (VAWA) and amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (known as the Clery Act).

The Act requires higher education institutes to report crime statistics and disclose security related information in several ways:

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<sup>3</sup> Applicable law requires that, when taking such steps to separate the complainant and the accused, the College must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

- It adds offenses involving domestic violence, dating violence, and stalking to the crimes that institutions must report and include in their annual security reports (ASR).
- It expands the categories of reportable "hate crimes" to include those based on bias against gender identity or national origin.
- The policy statements filed as part of the ASR must now include detailed descriptions of the institution's internal procedures in cases of domestic violence, dating violence, or stalking, as well as descriptions of its education and prevention programs.

### **Sex Offender Registry**

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the College is providing a link to the Wisconsin State Sex Offender Registry. All sex offenders are required to register in the state of Wisconsin and to provide notice of each institution of higher education in Wisconsin at which the person is employed, carries out a vocation, or is a student.

<http://doc.wi.gov/community-resources/wi-sex-offender-registry>

### **Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics**

The College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies serving our campuses, the Vice President of Student Services, and Campus Security Officials. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to designated campus security officials and local law enforcement agencies. Each year, an e-mail notification is made to all enrolled students and currently employed staff that provides the web site to access this report. A copy of the report may be obtained by contacting the Office of Safety and Security at [campussafety@blackhawk.edu](mailto:campussafety@blackhawk.edu) or by calling 608-743-4596.

### **Fire Safety Report and Missing Student Notification Procedures**

The College is a commuter (non-residential) college. Therefore, these statistics and procedure are not collected or in existence. They only apply to Colleges that maintain student housing.

### **Campus Crime Statistics Charts Definitions**

Statistical charts for calendar years 2016, 2017 and 2018.

**On-campus property** is defined as any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to above

that is owned by the institution but controlled by another person, frequently used by students, and supports institutional purposes (such as a food or other retail vendor.)

**Public property** is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.

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

**Unfounded Crime Statistics:** A crime is considered unfounded for Clery Act purposes when a sworn or commissioned law enforcement officer makes a formal determination that the report is false or baseless.

**Campus Crime Statistics Report for Period: 2016 – 2018**

<b>Central Campus, 6004 S County Rd. G, Janesville WI 53546 Campus</b> Crime Statistics Report for Period: 2016 – 2018					
<b>Primary Crimes</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-campus</b>	<b>Public Property</b>	<b>Total</b>
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Robbery	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	1	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

<b>Central Campus, 6004 S County Rd. G, Janesville WI 53546</b>					
Campus Crime Statistics Report for Period: 2016 – 2018					
<b>Arrests and Referrals for Disciplinary Action</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-campus</b>	<b>Public Property</b>	<b>Total</b>
Liquor Law Violation Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violation Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violation Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violation Referrals for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

<b>Central Campus, 6004 S County Rd. G, Janesville WI 53546</b>					
Campus Crime Statistics Report for Period: 2016 – 2018					
<b>VAWA Offenses</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-campus</b>	<b>Public Property</b>	<b>Total</b>
Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	1	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	1	0	0	0
Stalking	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

*\*BTC has no residential facilities associated with this location*

## **UNFOUNDED CRIMES**

If a crime is reported as occurring On Campus, in On-campus Residential Facilities, in or on Noncampus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Colleges must report the total number of: criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

The total number of unfounded crimes for the 2018 calendar year is **zero**.

The total number of unfounded crimes for the 2017 calendar year is **zero**.

The total number of unfounded crimes for the 2016 calendar year is **zero**.

### **HATE CRIME REPORTING:**

There were no hate crimes reported in 2016, 2017 or 2018.

**Monroe Campus, 210 4<sup>th</sup> Avenue, Monroe, WI 53566**  
Campus Crime Statistics Report for Period: 2016 – 2018

<b>Primary Crimes</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-campus</b>	<b>Public Property</b>	<b>Total</b>
Murder/Non Negligent Manslaughter	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Manslaughter by Negligence	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Rape	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Fondling	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Incest	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Statutory Rape	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Robbery	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Aggravated Assault	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Burglary	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Motor Vehicle Theft	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Arson	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

<b>Monroe Campus, 210 4<sup>th</sup> Avenue, Monroe, WI 53566</b> Campus Crime Statistics Report for Period: 2016 – 2018					
<b>Arrests and Referrals for Disciplinary Action</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>
Liquor Law Violation Arrests	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Drug Law Violation Arrests	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Weapons Law Violation Arrests	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Liquor Law Violation Referrals for Disciplinary Action	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Drug Law Violation Referrals for Disciplinary Action	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Weapons Law Violation Referrals for Disciplinary Action	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

<b>Monroe Campus, 210 4<sup>th</sup> Avenue, Monroe, WI 53566</b> Campus Crime Statistics Report for Period: 2016 – 2018					
<b>VAWA Offenses</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>
Domestic Violence	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Dating Violence	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Stalking	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

*\*BTC has no residential facilities associated with this location*

## **UNFOUNDED CRIMES**

If a crime is reported as occurring On Campus, in On-campus Residential Facilities, in or on Noncampus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Colleges must report the total number of: criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

The total number of unfounded crimes for the 2018 calendar year is **zero**.

The total number of unfounded crimes for the 2017 calendar year is **zero**.

The total number of unfounded crimes for the 2016 calendar year is **zero**.

## **HATE CRIME REPORTING:**

There were no hate crimes reported in 2016, 2017 or 2018.

**Center for Transportation Studies, 1740 W US HWY 14, Janesville, WI 53545**

Campus Crime Statistics Report for Period: 2016 – 2018

<b>Primary Crimes</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>
Murder/Non Negligent Manslaughter	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Manslaughter by Negligence	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Rape	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Fondling	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Incest	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Statutory Rape	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Robbery	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Aggravated Assault	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Burglary	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Motor Vehicle Theft	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Arson	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

<b>Center for Transportation Studies, 1740 W US HWY 14, Janesville, WI 53545</b>					
Campus Crime Statistics Report for Period: 2016 – 2018					
<b>Arrests and Referrals for Disciplinary Action</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>
Liquor Law Violation Arrests	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Drug Law Violation Arrests	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Weapons Law Violation Arrests	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Liquor Law Violation Referrals for Disciplinary Action	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Drug Law Violation Referrals for Disciplinary Action	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Weapons Law Violation Referrals for Disciplinary Action	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

<b>Center for Transportation Studies, 1740 W US HWY 14, Janesville, WI 53545</b>					
Campus Crime Statistics Report for Period: 2016 – 2018					
<b>VAWA Offenses</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>
Domestic Violence	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Dating Violence	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Stalking	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

*\*BTC has no residential facilities associated with this location*

## **UNFOUNDED CRIMES**

If a crime is reported as occurring On Campus, in On-campus Residential Facilities, in or on Noncampus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Colleges must report the total number of: criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

The total number of unfounded crimes for the 2018 calendar year is **zero**.

The total number of unfounded crimes for the 2017 calendar year is **zero**.

The total number of unfounded crimes for the 2016 calendar year is **zero**.

## **HATE CRIME REPORTING**

There were no hate crimes reported in 2016, 2017 or 2018.

**Advanced Manufacturing Training Center, 15 Plumb St. Milton WI 53563**

Campus Crime Statistics Statistical Report for Period: 2016 – 2018

<b>Primary Crimes</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>
Murder/Non Negligent Manslaughter	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Manslaughter by Negligence	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Rape	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Fondling	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Incest	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Statutory Rape	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Robbery	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Aggravated Assault	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Burglary	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Motor Vehicle Theft	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Arson	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

<b>Advanced Manufacturing Training Center, 15 Plumb St. Milton WI 53563</b>					
Campus Crime Statistics Statistical Report for Period: 2016 – 2018					
<b>Arrests and Referrals for Disciplinary Action</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>
Liquor Law Violation Arrests	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Drug Law Violation Arrests	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Weapons Law Violation Arrests	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Liquor Law Violation Referrals for Disciplinary Action	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Drug Law Violation Referrals for Disciplinary Action	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Weapons Law Violation Referrals for Disciplinary Action	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

<b>Advanced Manufacturing Training Center, 15 Plumb St. Milton WI 53563</b>					
Campus Crime Statistics Statistical Report for Period: 2016 – 2018					
<b>VAWA Offenses</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>
Domestic Violence	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Dating Violence	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0
Stalking	2018	0	N/A	0	0
	2017	0	N/A	0	0
	2016	0	N/A	0	0

*\*BTC has no residential facilities associated with this location*

## **UNFOUNDED CRIMES**

If a crime is reported as occurring On Campus, in On-campus Residential Facilities, in or on Noncampus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Colleges must report the total number of: criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

The total number of unfounded crimes for the 2018 calendar year is **zero**.

The total number of unfounded crimes for the 2017 calendar year is **zero**.

The total number of unfounded crimes for the 2016 calendar year is **zero**.

## **HATE CRIME REPORTING:**

There were no hate crimes reported in 2016, 2017 or 2018.

# Clery Act: Geography

## Central Campus – Janesville WI



## Monroe Campus – Monroe WI



## CTS Campus – Janesville WI



**Advanced Manufacturing Training Center – Milton, WI**

