



## SEXUAL MISCONDUCT POLICY

GB-41-02-1

Implemented August 1, 2001  
Reviewed and Amended: October 19, 2016

Approved: Provost

  
Greg Davis, Provost

*amended to format, not content 1-20-2017*

### STATEMENT OF POLICY

The mission of the University of Wisconsin– Green Bay (UW-Green Bay) is to provide a teaching and learning environment in which faculty, staff and students can discover, examine critically, preserve and transmit the knowledge, wisdom and values that will help ensure the survival of this and future generations and improve the quality of life for all. To promote these institutional values, UW- Green Bay is committed to creating and maintaining a community environment that is free from relationship violence and harassment.

### POLICY PURPOSE AND SCOPE

This policy prohibits acts of relationship violence and sexual harassment on university property, at university-sanctioned or university-affiliated events, and where off-campus conduct affects a member of the university community. This policy applies to all University students, employees, affiliates, and guests. The University is committed to educating its community and to promptly and effectively responding to and redressing conduct that violates this policy. This policy provides the UW-Green Bay community with information and resources to identify, report, and respond to relationship violence and sexual harassment including, sexual assault, gender-based stalking, and dating and domestic violence.



**TABLE OF CONTENT**

<b>UWGB Title IX Statement.....</b>	<b>3</b>
<b>Definitions.....</b>	<b>3-6</b>
<b>Roles and Duties.....</b>	<b>7-9</b>
<b>How to Report an Incident of Sexual Assault or Relationship Violence.....</b>	<b>9-12</b>
<b>How to Report an Incident of Sexual Harassment.....</b>	<b>13</b>
<b>Procedure.....</b>	<b>13-16</b>
<b>Education and Training.....</b>	<b>16,17</b>
<b>Record Keeping.....</b>	<b>17</b>



## I. TITLE IX STATEMENT

[Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.](#), prohibits discrimination on the basis of sex in any educational program or activity receiving Federal financial assistance. Sexual harassment, acts of sexual violence, domestic violence and stalking are forms of sex discrimination prohibited by Title IX. The University of Wisconsin-Green Bay does not tolerate and will provide all remedies available to victims of any violation of Title IX. Under no circumstances will employment, participation in educational program or other campus activity be denied basis of gender and gender identification.

The University of Wisconsin-Green Bay is committed to providing an environment free from discrimination based on sex, gender and gender identification and provides a number of resources and services to assist students, faculty and staff in addressing issues involving sex discrimination, including sexual violence.

Sexual violence, sexual harassment, stalking and relationship violence have a profound impact on a victim's academic, social, working, and personal life, and negatively affects victims' friends and families, other students, co-workers, and members of the university community. To combat this complex social problem, the University of Wisconsin-Green Bay provides a variety of [resources and educational programs](#) designed to prevent sexual violence and other acts of sexual misconduct, including sexual harassment, provide information about what to do when an incident has occurred, and increase awareness of campus and community resources for support and response.

Victims of sexual violence, sexual harassment, stalking and relationship violence are encouraged to [seek support](#) and [report](#) the incident. The University of Wisconsin-Green Bay has appointed a Title IX Coordinator to oversee the institutional response to Title IX complaints, develop training and education programs/materials for faculty, staff and students, as well as monitor trends and effectiveness of Title IX education efforts.

## II. DEFINITIONS

**Complainant.** Any individual who is allegedly harmed as a result of relationship violence or sexual harassment.

**Confidential Resource.** Any employee, who is a licensed medical, clinical or mental health professional, when acting in that role in the provision of services to a patient or client who is a university student or employee. A confidential resource will not report specific information concerning a report of relationship violence or sexual harassment received by that employee in the employee's professional capacity unless with the consent of the reporting individual or unless required by the employee's license or by law.



**Consent.** As defined by [Wisconsin Statute 940.225](#) is 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. A person is unable to give consent if the person is incapacitated because of drugs or alcohol, disabled physically or intellectually, or unconscious

**Dating Violence.** Violence committed in a “dating relationship,” which is defined by [Wisconsin Statute 813.12](#) as a romantic or intimate social relationship between two adult individuals. “Dating relationship” does not include a casual relationship or an ordinary fraternization between two individuals in a business, educational or social context. A review shall determine if a dating relationship existed by considering the length of the relationship, the type of the relationship, and the frequency of the interaction between the adult individuals involved in the relationship.

**Domestic Violence** as defined by [Wisconsin Statute 813.12](#) means any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver’s care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common, :

- Intentional infliction of physical pain, physical injury or illness.
- Intentional impairment of physical condition.
- Sexual Assault
- Stalking
- Damage to property
- A threat to engage in the conduct listed above.

**Note:** *This law applies to roommates, regardless of gender or dating relationship.*

**Hostile Environment.** A work, academic, or program-related environment that is created by one or more individuals that would be considered intimidating, hostile, or offensive to reasonable people.

**Incapacitation.** As it applies to this policy, the state of being unable to physically and/or mentally make informed rational judgments and effectively communicate, and may include unconsciousness, sleep, high level of intoxication or blackouts, and may result from the use of alcohol or other drugs.

**Preponderance of the Evidence.** Information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than “clear and convincing evidence” and is the minimum standard for a finding of responsibility.

**Relationship Violence.** The phrase, as used in this policy, refers to incidents involving sexual assault, sexual harassment, stalking, dating violence, and domestic violence.



**Respondent.** A student who is accused of violating a policy under [UWS Chapter 17](#), Wis. Admin. Code, or an employee who is accused of violating a policy under Chapters [UWS 4, 7, 11](#), Wis. [Admin. Code](#).

**Responsible Employee.** Any employee other than a “confidential resource, as defined by the Clery Act:

- Who has the authority to take action to redress sexual misconduct;
- Who has been given the duty of reporting incidents of sexual misconduct by students or employees to the Title IX Coordinator or other appropriate school designee; or
- Who a student could reasonably believe has this authority or duty.

**Sex Discrimination.** Inequitable treatment based on sex or gender. Sexual harassment and sexual assault are forms of sex discrimination.

**Sexual Assault.** Sexual contact or sexual intercourse with another person without the consent of that person. Sexual assault is a crime as defined by [Wisconsin Statute 940.225](#). This may include, but is not limited to any of the following:

- Whoever has sexual contact or intercourse with a person without the consent of that person.
- Or whoever has sexual contact or sexual intercourse in any of the following ways:
  - With person who the individual knows is unconscious.
  - With a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the individual has actual knowledge that the person is incapable of giving consent and the individual has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.
  - With another person without consent of that person and causes pregnancy or great bodily harm to that person.
  - With a 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.
  - With a person without consent of that person by use or threat of force or violence.
  - With a 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 to reasonably believe it to be a dangerous weapon.
- Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with a person without consent of that person.

**Sexual Contact.** Intentional touching, whether direct or through clothing, if that intentional touching is for the purpose of sexually degrading or sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery under Wisconsin statute [940.19\(1\)](#) or [940.225\(5\)\(b\)](#).



**Sexual Harassment.** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individuals; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment. [Adapted from 29 C.F.R. s. 1604.11 [1980].]

**Sexual Intercourse.** Penetration, as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening either by the respondent or upon the respondent's instruction in accordance with [Wisconsin statute 940.225\(5\)](#).

**Stalking.** As defined by [Wisconsin Statute 940.32](#) is intentionally engaging in a course of conduct directed at a specific person that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury to or the death of himself or herself or a member of his or her family or household.

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



### III. ROLE AND DUTIES OF UNIVERSITY OFFICIALS AND EMPLOYEES

#### A. Title IX Coordinator

The duties of the UW-Green Bay Title IX Coordinator are described in the institutional position description. Those duties include: reviewing reports of relationship violence and sexual harassment; maintaining appropriate records; providing or supporting the provision of appropriate education and training; maintaining ongoing communication with any Deputy Title IX Coordinators and the Title IX Committee; overseeing the investigations of allegations of relationship violence and sexual harassment as appropriate; ensuring that applicable policies, resources, and other information is up-to-date and properly disseminated.

#### B. Deputy Title IX Coordinator

The point person for a student victim/complainant to make the initial report or complaint. This position is also responsible for coordinating any measures necessary to assist the complainant in continuing her or his education and to feel safe on campus. The Deputy would also coordinate related support and related services for the respondent.

#### C. Title IX Committee

The Title IX committee at UW- Green Bay meets on a quarterly basis to discuss policy implementation and revision, to assess the effectiveness of trainings and educational programming, to address campus climate issues, and to provide guidance to the Title IX Coordinator. The following are offices represented on this committee: Human Resources, Dean of Students, Counseling and Health, Public Safety, and Residence Life

#### D. Title IX Investigators

These are specifically trained staff for investigating complaints of sexual assault or other forms of relationship violence. Typically, there are two investigators assigned to a case, one of each gender, both of whom will participate in all of the key interviews of the case. Investigators are responsible for assembling all the necessary facts, and presenting this information to the Title IX Coordinator and the appropriate Deputy Title IX Coordinator for review and recommendations for next steps if needed.

#### E. Advisors

Both the complainant and the respondent are allowed to have an advisor present during the investigation and potential hearing. An advisor can be a friend, family member, advocate and even an attorney, at their own expense. Advisors may be limited in their ability to participate, but their primary focus is to assist and care for the complainant/respondent who requested them.

#### F. Hearing Committee

If the decision after the investigation is to seek suspension for a student respondent, or if the respondent requests a hearing, a committee of three individuals will be selected from a previously recognized and trained pool made up of faculty, staff and students. For more details



on the hearing process, please see the procedures as defined in 17.12 of the [Student Nonacademic Disciplinary Procedures](#).

This committee is trained on an annual basis on topics related to relationship violence, as well as procedures for holding objective hearings. In addition, they are trained in how to be respectful and to protect the safety of a victim. Such hearings promote accountability for one's actions.

## **G. Responsible Employees**

UW- Green Bay has designated individuals with the following titles as "responsible employees" under this policy, please note this list provides examples and does not include all individuals who are Responsible Employees:

- Advisors
- Director of the Intercultural Center
- Area Coordinator
- Camps and Conferences Manager
- Chancellor/ Vice Chancellor/ Associate Chancellor
- Chancellor's Office Staff
- Coach/ Assistant Coach
- Community Assistant
- Counseling and Health Center Staff
- Dean/Associate Dean/Assistant Dean
- Dean of Students Office Staff
- Kress Center Staff
- GBOSS Staff
- Director of International Education
- Police Officer/Police Supervisor
- Power Plant Operator
- Provost/ Associate Provost
- Provost's Office Staff
- Resident Assistants
- Student Ambassadors
- Student Organization Advisors
- Title IX Coordinator/Deputy Title IX Coordinator
- University Union Director

In addition to the above listed individuals, other employees may be required to receive and relay reports of sexual violence, sexual harassment and other crimes under this policy. The reporting individual can confirm with the employee that they are a "responsible employee." These individuals are also Campus Security Authorities under the Clery Act. These individuals must be properly trained to do the following:

- Be familiar with definitions of relationship violence and sexual harassment.
- Be familiar with this and other related policies.





- Be prepared to respond should an individual report an incident of relationship violence or harassment to them.
- Be familiar with resources on campus to which to refer a reporting individual.

## H. All Employees

In accordance with [Wisconsin statute 36.11\(22\)](#), employees who witness an act of sexual assault, or who receive a first-hand report of sexual assault from an enrolled student, must report that information to the Dean of Students Office. Confidential employees, are only required to report the facts of the incident and no other information.

## I. Confidential Employee

The following positions are designated “confidential employees” and for the purposes of reporting incidents of sexual assault, are only required to report the facts of the incident to the Dean of Students Office in accordance with [Wisconsin statute 36.11\(22\)](#), unless the victim consents to the reporting of any additional information.

- Counselor
- Nurse
- Nurse Practitioner

## IV. REPORTING AN INCIDENT OF SEXUAL OR RELATIONSHIP VIOLENCE

### A. Get Medical Care

As soon as possible, the victim of a sexual assault, domestic violence, or dating violence should get medical care. The victim will benefit from being examined for physical injury and disease, and from a discussion of medical options. In order to preserve physical evidence of the crime, do not bathe, shower, douche, use the bathroom, drink anything or change clothes before the medical exam. Evidence of this type would be vital if the victim decides to pursue criminal charges, university discipline, or may be helpful in obtaining a protection order.

### B. Get a SANE exam

Victims are encouraged to obtain a free forensic exam from a Sexual Assault Nurse Examiner (SANE). For victims 18 years or older, this exam can be done without any Law Enforcement involvement at all if that is their choice. Other hospital charges may apply, but often at a reduced rate and there are state and community programs in place to help fund these services with no out of pocket expenses to the victim.

### C. Reporting Options

Those who believe they are victims, or who have received a report of or witnessed an incident of sexual or relationship violence have several options for reporting the incident:

- The individual may elect not to report (unless the individual is an employee who has information about a sexual assault as described in II.H. above)



- The individual may report information to a confidential advisor in the Counseling and Health Center. Confidential Advisors are any of the Counselors, Nurses, Nurse Practitioner, Doctors or the Health Educator. An appointment can be scheduled by calling **920-465-2380**.
- The individual may report information to the campus Title IX Coordinator or Deputy Coordinators:
  - **Christopher Paquet**, Special Assistant to the Vice Chancellor  
**920-465-2699**; 830 Cofrin Library
  - **Amy Henniges**, Interim Dean of Students  
**920-465-2152**; 2000 Student Services
  - **Christine Olson**, Human Resources Director  
**920-465-2846**; 710 Cofrin Library
- The individual may report information to any UW-Green Bay Public Safety Police Officer. An officer can be reached 24 hours a day, 7 days a week by calling 920-465-2300 and selecting option 1.

There is no legal or campus policy requiring a victim of a sexual assault or of relationship violence to report the incident to UW-GREEN BAY Public Safety. Victims may make a report to a UW-GREEN BAY Police Officer, even if the victim does not wish to pursue the matter legally. It is best if a report is made in the days following the incident to get the most accurate report and allow for evidence collection. Making a report closer to the time of the incident, will help document some of the facts regarding the assault, which could help later if the victim changes his or her mind about pursuing charges. If the alleged perpetrator has done this to someone else in that jurisdiction, the victim’s report may also help establish the pattern and add to facts regarding another victim’s case. Reports can also be made up to three years after the incident took place.

There will be no formal Public Safety investigation of the incident unless requested, or if the reported incident indicates a safety concern for the campus community. Also, by talking with a Public Safety Officer, the victim can gather information should there be interest in requesting a restraining order, to help the victim regain some peace of mind and prevent future harassment.

- The individual may report information to the [local police](#):

Allouez	920-391-7450
Ashwaubenon	920-492-2995
Bellevue	920-448-4200
Brown County Sheriff	920-391-7450
DePere	920-339-4078
Green Bay	920-391-7450
Howard	920-391-7450

*Note: An individual may make a report to one or more of the offices or individuals noted above.*



- Individuals may also file a complaint with the [U.S. Department of Education, Office for Civil Rights](#):

## D. Amnesty for Students

In compliance with [Wisconsin State Statute 125.07 \(5\)](#) the University of Wisconsin-Green Bay will not proceed with criminal actions or seek implementation of the below stated disciplinary sanctions for violations of the campus alcohol policy for incidents in which the following applies:

- Victims of sexual violence who request emergency assistance, either through contacting Police, dialing 911 or contacting a university official, which includes Resident Assistants. The victim must cooperate with responders, including providing any requested information.
- Bystanders who assist a victim of sexual violence in requesting emergency assistance, either through contacting Police, dialing 911 or contacting a university official, which includes Resident Assistants. The bystander must cooperate with responders, including providing any requested information.

If one of the above factors applies, then the reporter or victim will be provided:

- General amnesty, granted by Law Enforcement for violations of underage drinking as defined in Wisconsin State Statute 125.04
- Relief from specified sanctions for disciplinary action undertaken by campus officials. Campus officials WILL NOT use an alcohol violation under these circumstances to:
  - Remove the student from university housing.
  - Remove the student from a course or academic program.
  - Suspend or expel the student.

## E. Confidentiality

Individuals, including victims, who report to any of the offices or individuals noted above, or to any other University employee, except to confidential employees, cannot be assured absolute confidentiality. However, information provided in the report and in any subsequent, related proceeding will be maintained in a private manner; only those individuals who have a need to know to fulfill obligations consistent with University policies or laws will be privy to certain information.

## F. Campus Notice

UW-Green Bay is required to alert the campus community to certain crimes, including sexual assaults and other forms of violence, in a manner that is timely and will aid in the prevention of similar crimes. This includes crimes where the circumstances indicate that there may be a serious or continuing threat to students or employees. The decision to issue a timely warning must be decided on a case-by-case basis in light of all the facts surrounding a crime, including such factors as:

- The nature of the crime
- The continuing danger to the campus community



- The possible risk of compromising law enforcement efforts
- Examples of a timely warning would be if a random attack took place on a common walking path, or multiple incidents could be tied to a specific campus building or location.

## G. Resources and Accommodations

### 1. Accommodations

The University will work with individuals involved in alleged incidents of relationship violence and sexual harassment to undertake appropriate measures to assist in their safety and wellbeing. These may include: No contact orders, counseling and health services, academic or work modifications, visa assistance, safe walks, and relocation of living or working space.

### 2. Resources

The University offers a variety of resources that are available to individuals involved in incidents of relationship violence or sexual harassment, including the following:

#### Emergency Resources

<a href="#">Sexual Assault Center</a> (24hrs)	920-436-8899
<a href="#">Family Violence Center</a> (24hrs)	920-432-4244
<a href="#">Crisis Center</a> (24hrs)	920-436-8888
<a href="#">St. Vincent SANE</a> (Sexual Assault Nurse Examiner)	920-704-2373 (pager)

#### Campus Reporting Resources

##### CONFIDENTIAL Reporting

<a href="#">Counseling &amp; Health Center</a>	920-465-2380
--	--------------

##### VOLUNTARY Reporting

<a href="#">Dean of Student Office</a>	920-465-2152
<a href="#">Public Safety</a>	911 or 920-465-2300
<a href="#">Residence Life</a>	920-465-2040

For information about the Title IX Coordinators, please see the [Title IX website](#).

#### Sexual Assault Prevention & Response Coordinator

Dana Stueber, Health Education Coordinator  
 1400 Student Services  
 920-465-2380  
[stueberd@uwgb.edu](mailto:stueberd@uwgb.edu)



## V. REPORTING SEXUAL HARASSMENT

### A. Sexual Harassment Policy

The University of Wisconsin-Green Bay is committed to maintaining a learning and working environment that is free of bias, prejudice, and harassment-an environment that supports, nurtures, and rewards career and educational advancement on the basis of ability and performance. In furtherance of that mission, the University has put in place a [Policy Prohibiting all forms of Harassment.](#)

### B. Reporting Options

Those who believe they are victims, or who have received a report of or witnessed an incident of sexual harassment have several options for reporting the incident:

- The individual may elect not to report (unless the individual is an employee who has information about a sexual misconduct as described in II.H. above)
- If the reporter is an employee or the offender is an employee, they may report to their supervisor or directly to the Human Resources Department.
- If a student, they may report to the Dean of Students Office.
- The individual may report information to the campus Title IX Coordinator or Deputy Coordinators:
  - **Christopher Paquet**, Special Assistant to the Vice Chancellor  
**920-465-2699**; 830 Cofrin Library
  - **Amy Henniges**, Interim Dean of Students  
**920-465-2152**; 2000 Student Services
  - **Christine Olson**, Human Resources Director  
**920-465-2846**; 710 Cofrin Library

## V. PROCEDURES

When a report is made to the Deputy Title IX Coordinator alleging that a student has engaged in an act of relationship violence or sexual harassment, UWS 17 will be the procedures [linked here](#) apply.

When a report is made to the Deputy Title IX Coordinator alleging that a faculty member has engaged in an act of relationship violence or sexual harassment, the procedures linked here apply. [UWS 4](#), [UWS 6](#), [UWS 7](#)

When a report is made to the Deputy Title IX Coordinator alleging that a member of the academic staff has engaged in an act of relationship violence or sexual harassment, the procedures linked here apply. [UWS 11](#), [UWS 13](#)

When a report is made to the Deputy Title IX Coordinator alleging that a member of the university staff has engaged in an act of relationship violence or sexual harassment, the procedures [linked here](#) apply.



When a report is made to the UW-Green Bay Public Safety Department alleging that an individual has engaged in an act of relationship violence or sexual harassment, the procedures [linked here](#) apply.

When a report is made to the local Police Department alleging that an individual has engaged in an act of relationship violence or sexual harassment, the procedures will vary by department. Contact phone numbers are listed above to assist in reaching out to request this information.

When a report is made to more than one of the offices noted above, the offices will endeavor to cooperate as they are able, with the consent and cooperation of the parties involved. Attempts will be made to limit the number of times a complainant or respondent is required to repeat information about the allegations.

### **3. Overview of Student Process**

Once a complaint is made the following process will be enacted. Some events may happen in a different order, or simultaneously, as the investigation goes forward. For the purposes of the investigation, the victim will be referred to as the complainant, and the alleged perpetrator will be referred to as the respondent.

1. Initial interviews with the assigned investigators with both the complainant and respondent separately.
2. Written materials are provided to both the complainant and respondent explaining their rights and responsibilities in the process, how the investigative process works, and resources available to them on and off campus.
3. The initial contact with respondent will be done in coordination with the complainant so he or she is aware of this initial notice. The university reserves the right to make contact when the investigators, in coordination with the Title IX Coordinator, feel it is necessary to move forward with a complaint as a necessary action to keep the campus community safe.
4. Follow-up interviews are common with both the complainant and respondent during the investigation process as a way to gather further details about the alleged incident.
5. Supporting interviews will be done with individuals who are witnesses to the assault, or elements leading up to or following the assault. These are not character interviews, rather they focus on the behaviors of the parties involved in the complaint.
6. Collection of supporting evidence may be, but are not limited to, data such as text messages, social media posts, use of university ID's, phone logs, or emails.
7. Case review is done once the investigators believe they have gathered all available and relevant evidence, and present this to the Title IX and Deputy Title IX Coordinator.
8. Follow-up investigation may be conducted if after case review it is determine additional information should be sought, or efforts made to better confirm facts or answer lingering questions or concerns.
9. A decision is made following the final case review. Notice is given to both the complainant and respondent at the same time. This may include requesting a hearing



for suspension of the respondent, sanctions less than suspension, but still holding the respondent accountable, or a finding of not responsible due to insufficient evidence.

10. Appeal options are available to both the respondent and complainant depending on the decision made and point in the misconduct process. These options will be explained at the time they are made available, along with related deadlines for action.

#### **4. Prompt Resolution**

The offices and individuals receiving a report of relationship violence or harassment will endeavor to resolve the matter in timely manner, with consideration of available information and context.

1. Potential Sanctions

The procedures identified above provide for disciplinary action against staff members and students who are found responsible for violating University policy. Such sanctions may include restrictions on a course or program, suspension, expulsion, suspension and dismissal from employment. [Chapter UWS 17.10](#) provides a more comprehensive list of potential sanctions against students.

2. Notice of Outcome

Both the complainant and the respondent will be provided with notice of the outcome of the final resolution of the complaint.

#### **5. Appeals Process**

Both the respondent and complaint in a student case have the right to appeal when a decision is made. Such an appeal needs to be received by the Dean of Students Office within 10 days of the decision being delivered. Once an appeal is received, both parties will be given notice of the timeline and process for the next step in the appeal. Once a decision is reached, both parties will again be given written notice of the outcome at the same time.

#### **6. Prohibition Against Retaliation**

This policy prohibits retaliation against an individual who reports, assists an individual in reporting, or who participates in proceedings involving an allegation of Relationship Violence or harassment. Retaliation under this policy includes threats, intimidations, or adverse employment/academic actions. Those who believe they have been subjected to retaliation under this section may report the allegations to the Title IX Coordinator or Deputy or Deputies, Campus Police Department, or local Police Department.



## 7. False Accusation

Knowingly making a material misstatement of fact in connection with reporting under this Policy may subject the individual to disciplinary action. Anyone who believes that he or she has been the subject of a false complaint may meet with the Title IX Coordinator to discuss the allegations. The filing of a complaint that does not result in a finding of prohibited conduct is not alone evidence of the intent to file a false complaint.

## 8. Sexual Harassment by an Employee

In instances where an individual feels they are being sexually harassed by an employee, a complaint can be made to the Human Resources department. Their procedures for responding to a complaint are outlined [here](#).

## VI. Education and Training

The Title IX Coordinator will be primarily responsible for facilitating the training and educational programs to the campus community. At a minimum, all students and employees will be required to complete the campus-supported on-line training covering issues of relationship violence and sexual harassment.

The Chancellor or designee will identify and offer more in-depth training for employees who are executives, supervisors, managers, directors and department heads, Responsible Employees, and survivor/victim advocates, and those who are connected with the disciplinary process in the following areas: Dean of Students Office, Residence Life, Public Safety and Human Resources

**Educational and Prevention Efforts** are made by the university in an effort to bring knowledge and awareness of such activity to the university community. Information will be provided to employees through their orientation program and ongoing refresher trainings. These efforts to educate students take on a number of different forms such as speakers, poster series, panel discussions and social media postings. The primary prevention and awareness program will be an online education program for all students and employees.

This program will include:

- Statement prohibiting sexual assault
- Definition of offenses
- Definition of consent
- Bystander intervention options
- Signs of abusive behavior and how to avoid attacks
- Prevention and awareness campaigns
- How to seek assistance through campus and community resources





Student orientation programs will contain both oral, and written or electronic information about sexual assault as required by [Wisconsin Statute 36.11 \(22\)](#). This will include information about legal definitions, crime statistics, rights to services, and protective measures students can use to avoid assaults. In addition, key employees who are designated under the federal [Clery Act](#) as Campus Security Authorities (CSA's) will undergo regular training regarding their reporting requirements related to sexual assaults.

## **VII. Record Keeping**

As noted above, the Title IX Coordinator will maintain records of reports of relationship violence and sexual harassment consistent with the institutional records-retention policy. In addition, the Title IX Coordinator will track compliance with mandatory training programs, and maintain a list of training and education offered on campus.

### **A. Data Collection**

The UW-Green Bay Public Safety will collect, maintain, and submit the [Annual Security Report](#), consistent with the federal Clery Act.

The Dean of Students Office will collect appropriate sexual assault data and compile the state report required under [Wisconsin statute 36.11\(22\)](#).

### **B. Assessment**

The Title IX Coordinator will collaborate with the UW System Office of Policy and Research ("OPAR") to conduct a yearly climate study. All students and employees are encouraged to participate. The office will also work with OPAR to design methods for effectively evaluating the outcomes of campus training and educational programming. It is imperative that UW System campuses proactively integrate empirically informed assessment and evaluations into relationship violence and harassment prevention and awareness programs to measure whether they are achieving the intended outcomes.