



University of Wisconsin-Green Bay Sexual Misconduct Operational Guidance

TITLE IX STATEMENT

The mission of University of Wisconsin-Green Bay is to provide a teaching, learning and working environment in which faculty, staff, and students can discover, examine critically, preserve, and transmit the knowledge, wisdom, and values that will improve 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 sexual violence and sexual harassment.

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 on the 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.

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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.

SEXUAL MISCONDUCT POLICY

The University of Wisconsin-Green Bay has adopted Board of Regents Policy [RPD 14-2](#) as its institutional policy on Sexual Misconduct.

This policy prohibits acts of relationship and sexual 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 faculty, staff, students, 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.

ROLE AND DUTIES OF UNIVERSITY OFFICIALS AND EMPLOYEES:

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.

Deputy Title IX Coordinator: The point person for a 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 their education or employment and to feel safe on campus. The Deputy would also coordinate related support and services for the respondent.

Title IX Committee (Sexual Assault Response Team, SART): The UW-Green Bay SART meets monthly 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, the Wellness Center and Housing and Residential Education.

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.

Advocate: Both the complainant and the respondent shall be entitled to an advocate present during the investigation and potential hearing. An advocate can be a friend, family member and even an attorney, at their own expense. If the respondent or complainant does not have an advocate but wants one, the University shall appoint an advocate to them. The Advocate may be limited in their ability to participate, but



their primary focus is to assist and care for the complainant/respondent who requested them.

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 [UWS 17.12](#) Nonacademic Disciplinary Procedures.

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:

- Advisor
- Director of the Intercultural Center
- Residential Education Coordinators (RECs)
- Camps and Conferences Manager
- Chancellor/ Vice Chancellor/ Assoc. & Asst. Chancellor
- Chancellor’s Office Staff
- Coach/ Assistant Coach
- Community Assistant
- Wellness 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 [RPD 14-2](#) 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.

ALL EMPLOYEES:

Regardless of whether they are a “Responsible Employee” or a “Campus Security Authority,” all employees are required to comply with the following reporting obligations.

In accordance with § 36.11(22), Wis. Stats., 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 Office of the Dean of Students or designee. “Confidential Employees”, described below, are only required to report the occurrence of the sexual



assault without any personally identifying information about the complainant or respondent.

All employees must comply with [Executive Order 54](#) which requires that university employees report incidents of child abuse and neglect which they observe or learn of in the course of their employment. Such reports must be personally and immediately made to law enforcement or the county department of social services or human services.

EDUCATION AND TRAINING:

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

The Chancellor or designee will identify and offer more in-depth training for employees who are Officials with Authority, Responsible Employees, Title IX Personnel, and those connected with the disciplinary process.

All Title IX personnel, including the Title IX Coordinator, any investigator, any decision-maker, and any person who facilitates an informal resolution, shall receive training on the definitions of sexual violence and sexual harassment, scope of the institution's program or activity, how to conduct an investigation and grievance process, how to serve impartially, and how to avoid conflicts of interest and bias. All decision-makers shall receive training on any technology to be used at a live hearing, and on issues of relevance of questions and evidence. All investigators shall receive training on issues of relevance and how to create an investigative report that fairly summarizes relevant evidence.

Title IX personnel at UWGB reviewed the following materials as a part of their professional training annually:

- State University of New York (SUNY) Student Conduct Institute Title IX Training



<https://system.suny.edu/sci/postedtraining/>

REPORTING AN INCIDENT:

Reporting Options

Those who have been subjected to an incident of sexual violence or sexual harassment have several options for reporting the incident:

1. The individual may elect not to report or may only seek confidential services, <https://www.uwgb.edu/wellness-center/>
2. The individual may report information to the campus Title IX Coordinator or other designated reporting office:

Title IX Coordinator – Christopher Paquet

920-465-2110

paquetc@uwgb.edu

Deputy Title IX Co-Coordinator for Students – Caitlin Henriksen

920-465-2609

henriksc@uwgb.edu

Deputy Title IX Co-Coordinator for Employees – Megan Noltner

920-465-2948

noltnerm@uwgb.edu

3. The individual may report information to campus law enforcement, University Police: <https://www.uwgb.edu/public-safety/contact-us/contact-us/>
4. The individual may report information to local law enforcement:
 - a. Green Bay Police Department: <https://www.gbpolice.org>
 - b. Brown County Sheriff Department: <https://www.browncountywi.gov/government/sheriffs-office/general-information/>
 - c. Manitowoc City Police Department: <https://www.manitowoc.org/17/Police>



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- d. Marinette Police Department: <https://www.marinette.wi.us/174/Police-Department>
- e. Sheboygan Police Department: <https://sheboyganpolice.com>

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

In addition to the local resources above, an Individual also has the option to [file a complaint](#) with the **U.S. Department of Education, Office for Civil Rights**.

There is no legal or University policy requiring a victim of a sexual assault or of relationship violence to report the incident to UW-GREEN BAY Police. 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 their 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.

AMNESTY

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.

University 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.

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.

RIGHTS OF THE COMPLAINANT:

The following rights are provided to complainants of sexual assault, domestic violence, dating violence, harassment or stalking regardless of whether the complainant chooses to file a complaint or the incident happened on or off campus. The following rights are provided in writing to the complainant:



- To seek or not to seek criminal charges and/or file a university disciplinary complaint.
- To request protection from harm or threat of harm arising out of cooperation with law enforcement and prosecution efforts and to be provided information on the level of protection available.
- Not be required to keep the outcome of the university's results confidential or be prohibited from discussing the case.
- To appeal the outcome of a disciplinary proceeding.
- Be informed of their options to notify law enforcement.
- To receive written notification about existing counseling, health, mental health, complainant advocacy, legal assistance, visa and immigration assistance, student financial aid, financial assistance and other social services available to complainants, both within the institution and in the community including how to apply for all of these services.
- UW-Green Bay will provide written notification to complainants of options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The University will identify all available living and academic options to the complainant. UW-Green Bay will make such accommodations as requested by complainant if they are reasonably available; regardless of whether or not the complainant chooses to report the crime to campus or local law enforcement; and UW-Green Bay must provide all available options to complainant. UW-Green Bay must comply with complainant's request for living/academic change. All protective measures will be kept confidential to the extent possible.
- To obtain a free forensic exam from a Sexual Assault Nurse Examiner (SANE) without filing a police report or involving the police in any way. Other hospital charges may apply.
- The right to a complainant advocate of their choosing.



- To access STI (sexually transmitted infection) testing and treatment, emergency contraception, and pregnancy testing either on campus or in the community.
- To request and have access to their own medical, mental health, Sexual Assault Nurse Examiner (SANE), campus disciplinary, and/or complainant advocacy services.
- To have options for offering their testimony in a campus disciplinary hearing, including via phone, video conferencing, written statement or with a room partition between the parties.

Regardless of whether offense occurred on or off campus all of the above options are available.

RIGHTS OF COMPLAINANT & RESPONDENT

The following rights are provided to both the victim/complainant and the accused/respondent:

- Interim, protective, and supportive measures will be offered to both parties starting with initial contact. This may include, but is not limited to: change in living environment, no contact orders, adjustments to academic courses, counseling and health services, safe walks, change in on campus work schedules, restrictions from areas of campus, assistance with immigration status.
- The university treats all cases of this nature to be highly confidential in nature. Only parties with a determined need to know will be provided information, and only the minimum information necessary for their assistance in the case.
- The process of investigation and final decision will be a prompt, fair, and impartial process with a goal of achieving the final result in 90 calendar days or less.
- University officials in this process will not have a conflict of interest. Officials will also have undergone annual training in procedures to help protect the safety of victims and promotes accountability for behaviors harmful to the university community. Topic



specific trainings on dating violence, domestic violence, sexual assault and stalking will also be provided to all appropriate officials.

- Parties are allowed to be accompanied by an advisor of their choice to all meetings, conferences or hearings. This advisor can be a family member, friend, advocate and even an attorney. The advisor may have restrictions on the level in which they may participate in the proceedings. The university will share this in advance if notified an advisor is attending.
- Any and all results of any proceedings will be shared with each party at all steps and/or levels of the process. This includes initial and interim measures as well as final results of a conference or hearing. Results will include any findings of policy violations and resulting sanctions should any be assigned. If appropriate, next steps such as instructions on how to request an appeal will be included in the notice. Notice can be done by email, phone or in person.
- Notification of any changes made to the results of the proceedings prior to those results becoming final.

All parties to the disciplinary proceedings shall have the right to access the record of the disciplinary proceedings. No other individuals shall have the ability to access this information. In the event that the crime or violation results in death of the victim, the right to disclosure shall pass to the victim's next of kin.

RESOURCES AND 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.

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

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Emergency Resources:

[Sexual Assault Center](#) (24hrs) 920-436-8899

[Family Violence Center](#) (24hrs) 920-432-4244

[Crisis Center \(24hrs\)](#) 920-436-8888

[St. Vincent SANE](#) (Sexual Assault Nurse Examiner) 920-704-2373 (pager)

[State of Wisconsin County SANE Support](#)

Manitowoc County, [Crisis Support](#) (24hrs) 920-683-4201

Manitowoc County, Sexual Assault Nurse Examiner (SANE) – Aurora
Medical Center 920-794-5125

Marinette County, [Sexual Assault Center](#) (24hrs) 715-732-7300

Marinette County, [Rainbow House Domestic Abuse Services](#) (24hrs) 715-
732-4244

Marinette County, [St. Vincent SANE](#) (Sexual Assault Nurse Examiner) 920-
704-2373 (pager)

Sheboygan County, [Safe Harbor](#) (24hrs) 920-452-7640

Sheboygan County, [Crisis Center](#) (24hrs) 920-459-3333

Sheboygan County, Sexual Assault Nurse Examiner (SANE) – Aurora
Sheboygan Memorial Medical Center 920-451-5553

Campus Reporting Resources:

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CONFIDENTIAL

[Wellness Center](#) 920-465-2380

VOLUNTARY

[Dean of Student Office](#) 920-465-2152

[University Police](#) 911 or 920-465-2300

[Housing and Residential Education](#) 920-465-2040

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

Sexual Assault Prevention & Response Coordinator Caitlin Henriksen, Health Educator for Sexual Violence Prevention 1363 Student Services 920-465-2609

PROCEDURES:

1. University Procedures:

- a. When a report is made to the *Title IX Coordinator* alleging that a *student* has engaged in an act of sexual violence or sexual harassment, the procedures linked [here](#) apply.
- b. When a report is made to the *Title IX Coordinator* alleging that a *faculty member* has engaged in an act of sexual violence or sexual harassment, the procedures linked [here](#) apply.
- c. When a report is made to the *Title IX Coordinator* alleging that a *member of the academic staff* has engaged in an act of sexual violence or sexual harassment, the procedures linked [here](#) apply.
- d. When a report is made to the *Title IX Coordinator* alleging that a *member of the university staff* has engaged in an act of sexual violence or sexual harassment, the procedures linked [here](#) apply.

2. Title IX Misconduct Informal Resolution Procedures:

At any time prior to reaching a determination regarding responsibility for Title IX misconduct, the University may facilitate an informal resolution process, such as

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mediation, that does not involve a full investigation and adjudication, provided that the university:

- a. Provides to the parties a written notice disclosing:
 - i. the allegations
 - ii. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations
 - iii. at any time prior to agreeing to a resolution any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint
 - iv. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared
- b. Obtains the parties' voluntary, written consent to the informal resolution process
- c. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

The university may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Title IX misconduct.

Similarly, the university may not require the parties to participate in an informal resolution process to address Title IX misconduct and may not offer an informal resolution process for Title IX misconduct unless a formal complaint is filed. The requirements of this section do not apply to allegations of sexual harassment and sexual violence that do not constitute Title IX misconduct.

3. Law Enforcement Procedures:

When a report is made to campus law enforcement alleging that an individual has engaged in an act of sexual violence or sexual harassment, the procedures linked [here](#) apply. The



university offices and employees that receive a report of sexual violence or sexual harassment will endeavor to resolve the matter in a timely manner, with consideration to available information and context.

4. Prompt Resolution

The university offices and employees that receive a report of sexual violence or sexual harassment will endeavor to resolve the matter in a timely manner, with consideration to available information and context.

Time Frames

Best efforts will be made for the university to complete an informal resolution process or an investigation of a complaint within 90 calendar days. The 90-calendar day time frame and any other time frame set by the university related to appeals and conclusion of the grievance process may be extended for good cause. Good cause may include but is not limited to considerations such as:

- the absence of a party or party's advisor or witness
- concurrent law enforcement activity
- the need for language assistance or accommodation of disabilities.

The complainant and the respondent will be notified in writing of an extension for good cause.

Potential Sanctions

The procedures identified above provide for disciplinary action against employees and students who are found responsible for violating a university policy. For students, such sanctions include those listed in UWS 17. Employee sanctions may include measures that range from a written reprimand through dismissal. Vendors and guests may be subject to other sanctions.



Notice of Outcome

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

5. Prohibition Against Retaliation

Prohibited retaliation includes intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by this policy or because the individual has made a report or complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Those who believe they have been subjected to retaliation under this section may report the allegations to the Title IX Coordinator or Deputy. Those who believe they have been subjected to retaliation that would also constitute a crime may report to campus law enforcement. (See contact information above.)

6. False Information

Any person who knowingly makes false statements or knowingly provides false information when reporting a violation of this policy or during the course of any investigation or disciplinary proceeding pursuant to this policy may be subject to disciplinary action. The fact that a complaint of sexual harassment or sexual violence did not result in a finding of wrongdoing in a law enforcement or University disciplinary proceeding will not, by itself, be a basis for determining that this provision has been violated.

RECORD KEEPING AND DATA COLLECTION

As noted above, the Title IX Coordinator will maintain records of reports and resolution of sexual violence and sexual harassment consistent with the institutional records-retention policy, which must be at least seven (7) years. In addition, the Title IX Coordinator will



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track compliance with mandatory training programs and maintain a list of training and education offered on campus.

The institution will post a link to all training materials for Title IX Personnel (including the Title IX Coordinator, any investigator, any decision-maker, and any person who facilitates an informal resolution), whether developed internally or purchased externally, on their website for public viewing. All materials used to train Title IX Personnel will be maintained for at least seven (7) years.

The UW-Green Bay Police Department or other appropriate office will collect, maintain, and submit the Annual Security Report, consistent with the federal Clery Act.

The Office of the Dean of Students, or other appropriate office, will collect appropriate data and compile the state report required under § 36.11(22), Wis. Stats.

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