



# **2025 Annual Campus Security and Fire Safety Report**

**(Crime and Fire Data for Calendar Years 2022-  
2024)  
(Published for 2025-26 Academic Year)**

Campus Address:  
1800 Bronson Boulevard  
Fennimore, WI 53809

# Southwest Wisconsin Technical College

## 2025 Annual Security & Fire Safety Report

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### Resources

Several resources are referred to throughout the document. Contact information is listed below for those resources.

#### Title IX Coordinator and Deputy Coordinators:

Krista Weber - Title IX Coordinator

[kweber@swtc.edu](mailto:kweber@swtc.edu) 608.822.2315

Kramer Building (Building 300), Human Resources Office, Room 319

Holly Clendenen - Title IX Deputy Coordinator

[hclendenen@swtc.edu](mailto:hclendenen@swtc.edu) 608.822.2362

College Connection (Building 400), Student Services, Room 480

Dan Imhoff - Title IX Deputy Coordinator

[dimhoff@swtc.edu](mailto:dimhoff@swtc.edu) 608.822.2401

Industry Center (Building 500), Facilities Office, Room 514

#### Mental Health Counseling:

Robin Hamel – Mental Health Counselor

[rhamel@swtc.edu](mailto:rhamel@swtc.edu) 608.822.2268

College Collection (Building 400), Room 463

Bettermynd Telemental Health Service:

Free Bettermynd telemental health service is available for both face-to-face and online-only students.

<https://www.bettermynd.com> – Click on “Register” button on the top right of the screen.

988 Suicide and Crisis Lifeline:

The 988 Lifeline provides 24 hours a day, 7 days a week free and confidential support for people in distress, prevention, and crisis resources.

#### Facilities, Safety & Security Office:

Dan Imhoff – Executive Director of Facilities, Safety & Security

[dimhoff@swtc.edu](mailto:dimhoff@swtc.edu) 608.822.2401

Industry Center (Building 500), Facilities Office, Room 514

Josh Bedward – Director of Facilities

[jbedward@swtc.edu](mailto:jbedward@swtc.edu) 608.822.2754

Industry Center (Building 500), Facilities Office, Room 514

Morgan Zach – Administrative Assistant

[mzach@swtc.edu](mailto:mzach@swtc.edu) 608.822.2400

Industry Center (Building 500), Facilities Office, Room 514

# **Southwest Wisconsin Technical College 2025 Annual Security & Fire Safety Report**

## **Night Security:**

Matt Nation – Lead Evening Custodian  
608.391.0699

## **Student Housing:**

Stephanie Brown – Resident Life Manager  
[sbrown@swtc.edu](mailto:sbrown@swtc.edu) 608.822.2366  
College Connection (Building 400), Student Services, Room 475

Dan Imhoff – Executive Director of Facilities, Safety & Security  
[dimhoff@swtc.edu](mailto:dimhoff@swtc.edu) 608.822.2401  
Industry Center (Building 500), Facilities Office, Room 514

## **President's Office:**

Caleb White – Interim President  
[cwhite@swtc.edu](mailto:cwhite@swtc.edu) 608.822.2446  
Kramer Building (Building 300), President's Office, Room 301

Lori Needham - Executive Assistant  
[lneedham@swtc.edu](mailto:lneedham@swtc.edu) 608.822.2300  
Kramer Building (Building 300), President's Office, Room 301

## **Compliance Office:**

Karen Campbell – Compliance Officer  
[kcampbell@swtc.edu](mailto:kcampbell@swtc.edu) 608.822.2768  
Kramer Building (Building 300), Room 317

## **Fennimore Police Department:**

608.822.3215

## **For an emergency, Dial 911**

# **Southwest Wisconsin Technical College 2025 Annual Security & Fire Safety Report**

## **Introduction**

Southwest Wisconsin Technical College (Southwest Tech, the College) has a proud history of providing a safe learning environment for its students. The safety of our students and staff is important to us. 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 in regard to student and employee safety. The Jeanne Clery Campus Safety 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). Southwest Tech is committed to complying with the amendments and additions encompassed under the Campus SaVE Act to address domestic violence, dating violence, sexual assault, and stalking.

Southwest Tech's Compliance Officer prepares this report to comply with the Jeanne Clery Campus Safety Act for the period from January 1, 2024, to December 31, 2024. This report is prepared in cooperation with the local law enforcement agencies within the jurisdiction of the Southwest Tech campus. Each law enforcement agency provides crime statistics for addresses in their service location where Southwest Tech has offered courses and been in control of the location for the duration of the course.

Each year, a notification of availability is distributed to all enrolled students and employees via email, portals, website or in-person. The notification is accessible to all enrolled students and staff and is made available on the college website for prospective students and employees.

Questions regarding this report or a copy of this report may be obtained from the Compliance Officer located in room 317 or by calling (608) 822- 2768.

## **Annual Equal Opportunity/Affirmative Action Notice**

Southwest Wisconsin Technical College maintains fair and impartial relations with employees and applicants for employment, and students and student applicants in any service, program, activity, course, or use of facilities on the basis of sex, age, race, color, creed, religion, national origin, disability, ancestry, political affiliation, marital status, pregnancy, sexual orientation, gender identity, parental status, arrest record, conviction record, genetic testing, and the use and non-use of lawful products off the premises during nonworking hours, and membership in National Guard, State Defense Force, or other military forces of the United States. Lack of English reading/speaking skills will not be a barrier to admission and participation in district programs.

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## **About Southwest Wisconsin Technical College**

Southwest Wisconsin Technical College is one of 16 technical college districts that operate within Wisconsin in a statewide plan for vocational, technical and adult education. The Southwest Tech District covers a predominately rural area of 8,000 square miles in southwest Wisconsin, comprised of Grant, Crawford, Iowa, Lafayette, and Richland counties and portions of Green, Sauk, Dane and Vernon counties. The District covers an estimated population base of over 125,000 people. Thirty (30) public K-12 school districts are located within the Southwest Tech District borders.

## **Non-campus Reporting**

Southwest Tech is unable to monitor or provide security services to students and staff while off campus. Criminal activity and law enforcement services to student and staff off campus are provided by local police departments when violations of federal, state, or local laws surface. This cooperative team approach addresses situations as they arise, as well as future concerns, to the students, staff and community.

Southwest Tech does not have officially recognized student organizations that own or control housing facilities outside of the Southwest Tech core campus. Therefore, the local police department is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

## **College Access and Control**

Southwest Tech uses a fob access locking system as well as key system comprised of on-line and off-line locks. This allows greater access control throughout the campus and allows a faster response when an access card is lost, misplaced or stolen. All access cards and keys are property of Southwest Tech and must be returned upon request of the proper authority.

Southwest Tech will be open to students, parents, employees, contractors and to the general public from 7:30 a.m. – 10:00 p.m. During non-business hours, access to College facilities will only be given to those staff required to be present after-hours as part of their regularly scheduled job duties (i.e. Public Safety, Information Technology, Facilities, Athletics, College-Sponsored Events, etc). Anyone desiring access to the College during non-business hours who has not already been granted building access by the proper authority to do so should contact the Executive Director of Facilities, Safety and Security for further information and assistance.

Buildings and facilities are checked for any potential security related issues such as malfunctioning locks or burned-out lights, which are promptly reported to facilities management for repair. Facilities, Security, and Information Technology Services staff also monitor a closed-circuit security camera system for things such as unauthorized access to campus buildings, personal safety of staff, faculty and students, and protection of property.



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Southwest Wisconsin Technical College and the Southwest Wisconsin Technical College Real-Estate Foundation (REF) have a memorandum of understanding authorizing the college to manage REF-owned student housing. Therefore, each housing unit is key code accessed and monitored by the campus Resident Life Manager, student security officers, and student resident advisors.

### Campus Law Enforcement Policies

Southwest Tech does not have on-campus law enforcement; therefore, Southwest Tech does not have the authority to make arrests and relies on the local and state police for criminal incidents. The College has entered into a Memorandum of Understanding (MOU) with the City of Fennimore for the 2025-26 academic year to provide a liaison officer on campus for three to five hours each week. The scope of the liaison officer is to interact with employees and students and provide a visible law enforcement presence on campus. The duties may include conducting investigations and taking appropriate enforcement actions, providing resources related to issues on drugs and alcohol, preventing crime and violence as well as personal safety information and instruction, and making appropriate referrals to community agencies.

The Facilities, Safety & Security Office maintains a strong working relationship with state and local police agencies. The Fennimore Police Department incorporates the public property identified in the College's Clery Geography into their regular patrols. The local and state police investigate when criminal activity takes place on campus and in the Student Housing facilities. See the Clery Geography Map below for the patrol area.

### Clery Geography

The Clery Act requires colleges to disclose statistics for reported Clery crimes that occur: 1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that the institution owns or controls. The Clery Geography Map categories define Southwest Tech's Clery geography. The geographic categories are further defined in the Handbook for Campus Safety and Security Reporting as follows:

- 1) *On campus* – 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, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- 2) *Public property* – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- 3) *Non-campus buildings or property* - Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in

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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.

Included below are two Clery Geography maps that encompasses Southwest Tech's only campus. The two properties are less than one contiguous mile from each other. The first map is of the campus buildings, student housing, and the Public Safety Complex. The second map is of the College's Highway 18 Farm, which was purchased in 2025. The dark blue line indicates the Clery boundary and local law enforcement patrol area. The light blue line indicates the public property that surrounds the campus. The yellow shaded area is the Student Housing Complex.

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### Security of Campus

The College has implemented a Student Security Officer program with the Criminal Justice students. Student Security Officers are unarmed and patrol the campus buildings and grounds, including Student Housing, on a rotating schedule. They do not have the authority to make arrests. Student Security Officer tasks include building safety inspection, fire safety inspections (extinguisher, emergency lighting, means of egress), checking/maintaining eye wash stations, medical kit and AED inspections/stocking, developing emergency pre-incident plans, and assisting stakeholders in emergencies.

The College utilizes a security camera system to monitor internal and external activity during business hours and can go back and view any activity that happened during the nights and weekends. Access to the system is minimal with the Executive Director of Facilities, Safety & Security; Director of Facilities; Executive Director of Information Technology Services; two Network Administrators; and Student Security Officers having access to the system.

### Security Awareness & Crime Prevention Programming

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of Southwest Tech to inform students and employees on crime prevention and security awareness practices. Southwest Tech's safety programs are designed to encourage students and employees to be responsible for their own security and the security of others.

As part of the Safety & Security department's community-oriented policing philosophy, the Safety & Security Office offers crime prevention presentations each semester to classrooms, campus clubs, student groups and employee departmental meetings, as requested. Topics of these presentations include Personal Safety Awareness, "If You See Something, Say Something," and "Run, Hide, Fight." The Safety & Security Office is available to speak in classrooms or groups on security awareness and crime prevention.

During the 2024-25 fiscal year (July 1, 2024 – June 30, 2025) various security awareness and crime prevention programming was offered to employees and students. A summary of the programming is below.

Name of Presentation	Brief Description
Sexual Harassment – Draw the Line	This online training is required for all new employees during the employee onboarding. The training covers the topics of responsibility to report, types of sexual harassment, and retaliation.
Title IX Sexual Harassment and Designated Reporter	Topics are offered at one in-service or online each year to provide awareness of sexual harassment for all faculty and staff.
Violence Against Women's Act (VAWA)	Annual online training offered through D. Stafford & Associates for all employees. The training focuses on

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Name of Presentation	Brief Description
	responding in sound ways to reported offenses of domestic violence, stalking, sexual assault, and dating violence; bystander intervention; and risk reduction.
Situational Awareness	An interactive workshop on being aware of your surroundings, what is happening, and how to handle various situations. This is offered to all employees at in-service and/or professional development days and departmental meetings and students at classroom presentations.
See Something, Say Something	An interactive workshop on being cognizant of what is going on around you and reporting any suspicious behavior, activities, or other actions. This is offered to all employees at in-service and/or professional development days and departmental meetings and students at classroom presentations.
Run, Hide, Fight	An interactive workshop on what to do if there is a threat on campus. The Run, Hide, Fight video is shown as well as a review of the location where most of your time is spent. This is offered to all employees at departmental meetings and to students at classroom presentations.
Campus Security Authority (CSA) Training	Identified CSAs take the General CSA training the first year they are identified as a CSA and the CSA recertification training is required for subsequent years an employee is a CSA. This training is offered online through D. Stafford & Associates annually. The General CSA training includes identifying CSAs and their reporting obligations, geographic locations, classification and definition of crimes, issues regarding arrests and judicial referrals for drug, liquor, and weapon violations, timely warning requirements, daily log requirements, annual disclosure requirements, and reporting emergencies, fires, and missing persons. The CSA Recertification training includes an overview of recent media attention regarding institutions who are under review, review of who CSAs are and their reporting obligations, Clery Reportable Geography, Reportable Clery Crimes, and a review of the Timely Warning Notice requirements.
Recognize Respond Refer	This training will teach participants how to recognize when someone is experiencing a mental health crisis, respond appropriately, and connect them to the appropriate resources.
Healthy Relationships	Sexual assault awareness activity for students. Offered as a Lunch and Learn for students.
Mental Health Awareness Bingo	This activity explored mental health and how to identify any issues you or others may be experiencing and resources to help those experience a mental health issue. The activity was directed to the students and offered in person.

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Name of Presentation	Brief Description
Understanding Our Stress Cycle	This is a workshop on causes of stress in our life such as work, family, schooling, relationships with tips and tricks to de-stress. It was offered in person to the students.
Emotion Regulation Workshop	This workshop provides skills to help participants understand the function of emotions, the action urge that accompanies each emotion, and whether to heed or oppose these urges.
Mindful Yoga	This workshop provides yoga practice strategies to improve mindfulness and reduce stress.
Cybersecurity Training	This course augments the need to be vigilant in closely inspecting emails before clicking on a link or taking action on an email. The same goes for what links that are clicked on when navigating the internet. The College does have technologies in place to mitigate some of these instances, they do not block every attack. Humans are normally the weakest link in cybersecurity. By offering this course, the College will take that weakness and turn it into a strength here at Southwest Tech. The course is offered in the fall.
Charger Technology Support Center – Cyber Security Awareness Splash Screen	The splash screen is located in the Charger Technology Support where anyone (employee or student) can view it. The Information Technology staff presents information on IT-related topics including cybersecurity.
Digital Signage on Cyber Security Awareness Month	The campus-wide splash screens are in each building throughout the campus. Students, employees, and visitors are made aware of happenings around campus, promotions, and important topics focused on education and awareness for stakeholders. Cyber Security Awareness Month was promoted on the campus-wide screens in October 2024.

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 are advised to call the Safety & Security Office to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at (608) 822-2097.

## Daily Crime Log

Southwest Tech maintains a daily crime log. The Compliance Officer records the entries into the spreadsheet and prints the Daily Crime Log. A copy of the Daily Crime Log is available at the Main Reception Desk in the College Connection (Building 400).

## Maintenance of Campus Facilities

The College maintains a commitment to campus security and safety. The Facilities Department personnel monitor the campus for irregularities and needed repairs or

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maintenance of facilities, grounds and lighting. Safety and security are major factors in all landscaping and lighting designs. Monthly building inspections are conducted by the Student Security Officers, Lab Assistant-Public Safety/Lead Fire Instructor, and the Maintenance/Safety employee. Any issues noted with safety or security of campus facilities are forwarded to the Facilities Department.

Southwest Wisconsin Technical College campus facilities are maintained in a manner that minimizes hazardous conditions. Malfunctioning lights and other unsafe physical conditions are reported to Facilities, Safety & Security Office for correction. The Facilities, Safety & Security Office conducts quarterly inspections to ensure upkeep and maintenance of buildings, grounds, parking lots, and Student Housing. Other members of the college community are helpful when they report equipment and facilities problems to Facilities, Safety & Security Office through the campus service ticketing system housed on the intranet.

### **Behavioral Intervention Team (BIT)**

The Southwest Tech Behavioral Intervention Team (BIT) evaluates and addresses student behavior that may be inappropriate or concerning and coordinates college resources to intervene and provide necessary support.

The Behavioral Intervention Team is a cross-functional group of Southwest Tech staff whose mission is to:

- Provide a structured, positive method for addressing student behaviors that impact the college community and may involve mental health and/or safety issues.
- Meet regularly to support students by identifying patterns, trends and disturbances in the behavior of an individual or group.
- Evaluate the nature of a reported behavior or incident to assess the level of risk.
- Determine appropriate course of action to respond to behavioral concerns and initiate intervention or response to prevent a situation from escalating.
- Coordinate resources to ensure a comprehensive assessment response.
- Balance the individual needs of the student and those of the greater campus community.

The team is composed of the Executive Director of Facilities, Safety & Security; the Resident Housing Manager; and the Student Health Records Specialist with Counseling available as a resource. Committee members have training in recognition and conflict management of student concerns. The committee addresses concerns using various methods and strategies such as a team approach, one-on-one, or a mandated referral to an outside professional agency. The result is a plan for success and a win-win for both the student and the college with the student's best interest in mind.

An email alert from the Student Alert System (SAS) is submitted to each team member when a behavioral SAS is received. Some alerts are received in person from a concerned person.



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One of the Behavioral Intervention Team members will contact the student the SAS was received for in order to investigate and determine the next step in the process. Most behavioral SAS's are referred to the mental health counselor by the Behavioral Intervention Team. For those that are not referred to the mental health counselor, other referrals are made to internal departments and external agencies.

### **Weapons on Campus**

The use, concealment, creation, manufacturing or possession of weapons, whether functional or not, in College facilities is strictly prohibited, except as expressly outlined below.

### **Sworn Law Enforcement and On-Duty Military Personnel**

A weapon or potentially dangerous device may be used or possessed, concealed or otherwise, on the campus, grounds, facilities, or buildings at Southwest Tech by a certified sworn law enforcement officer or on-duty military personnel to the extent they are legally permitted to carry weapons in the State of Wisconsin.

### **Criminal Justice Programs, Shooting Team & Clay Target Team**

The Criminal Justice programs and the Southwest Tech Shooting Team may use weapons at the Public Safety grounds, facilities, or buildings for academic and team activities and store them locked up in the Public Safety building and firing range buildings. The Clay Target Team coaches may store weapons on the campus grounds and transport them to their clay target range. These weapons must be locked up when not in use.

### **Licensed Concealed Carry**

Employees, students, and the public cannot bring their licensed concealed carry weapon into campus buildings even if they have a valid permit. Weapons may be carried and stored in a person's own motor vehicle, even if the vehicle is driven or parked on College property. If weapons are kept in an unattended vehicle, the vehicle must be locked.

### **Sex Offender Registry**

In compliance with the Adam Walsh Child Protection & Safety Act of 2006 (42 U.S.C. 16921) and in accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act of 2016, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, Southwest Wisconsin Technical College is providing a link below to the Wisconsin Department of Corrections Sex Offender Registry.

This act requires institutions of higher education to issue a statement advising the campus community where state law enforcement information concerning registered sex offenders may be obtained. It also requires registered sex offenders in a state to provide notice to each

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institution of higher education in the state which the person is employed, carries a vocation, or is a student. Registered sex offenders who are attending or plan to attend Southwest Tech, must complete the [Notification of Attendance form](https://app.smartsheet.com/b/form/558e44ad035a4e7fa711a449de09faa2) (<https://app.smartsheet.com/b/form/558e44ad035a4e7fa711a449de09faa2> (survey)) .

Registry information provided under this section shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for purposes of intimidating or harassing another is prohibited and willful violation shall be punishable to the fullest extent of the law. The Wisconsin Department of Corrections is responsible for maintaining the [Wisconsin Department of Corrections Sex Offender Registry](https://appsdoc.wi.gov/public) (<https://appsdoc.wi.gov/public>).

## Emergency Response and Evacuation

Southwest Wisconsin Technical College maintains an Emergency Response Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular units or positions. A section of the Plan is dedicated to the Student Housing Emergency Response Plan.

The Emergency Response Team is responsible for developing emergency response and continuity of operations plans for the Southwest Tech community. Campus emergency management, under the guidance of the Executive Director of Facilities, Safety & Security, provides resources and guidance for the development of these plans.

The College conducts emergency response drills and exercises each year with the Core Emergency Response Team and the Emergency Response Team. Drills and exercises include tabletop exercises, field exercises and tests of the emergency notification systems 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 campus publicizes a summary of the emergency response and evacuation procedures via the College Intranet and website and distributes it via College email to staff and students 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 (HEOA).

Effective August 14, 2008, the HEOA requires each institution governed by the Jeanne Clery Act to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and staff *on campus*. In the event of a serious threat or emergency situation, the college population will be notified as to their appropriate response through various means.

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Some or all of our systems may be used such as: electronic communication (i.e., email or text), television and computer monitors, electronic mass notification system, loudspeakers, fire alarm and emergency evacuation maps located throughout the individual sites.

Once there is confirmation of such an event by a member of the Core Emergency Response Team (CERT), the Southwest Tech Emergency Response Plan will be implemented. This plan includes written emergency procedures to be followed for foreseeable emergency situations, designates Incident Commanders, procedures for timely notification to students and staff, and a process for accurately reporting incident details to both internal and external resources. The Southwest Tech Incident Commander will determine the appropriate means of message dissemination in the swiftest manner available. If in the professional judgment of the responsible authorities, activating the notification system may compromise any efforts to mitigate the event or assist victims, notification may be delayed or not issued. Southwest Tech's Public Information Officer will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to, Safety and Security Department, local police department, and/or the local fire and emergency medical services), hinder the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant a timely warning or emergency notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and a structural fire. In the event of an emergency, The Core Emergency Response Team (CERT) at Southwest Tech will initiate and provide, without delay, immediate emergency notifications to the appropriate segment(s) of the College community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors.

Southwest Tech's process to notify the campus community in cases of emergency starts with the Emergency Response Team Incident Commander confirming there is an emergency in conjunction with campus administrators, local first responders, and/or the national weather center. If the Incident Commander, in conjunction with other College administrators, local first responders, and/or the National Weather Service confirms there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Southwest Tech Community, the Incident Commander and Public Information Officer will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Southwest Tech community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

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System to Use	Primary Message Creator	Backup Message Creator	Authority for Approving & Sending Messages	Primary Message Sender/Distributor	Backup Message Sender/Distributor
<b>PRIMARY</b>					
Mitel Mass Notification	Public Information Officer	Backup Public Information Officer as determined by CERT Chart	Incident Commander	Public Information Officer	Backup Public Information Officer as determined by CERT Chart
RAVE	Public Information Officer	Backup Public Information Officer as determined by CERT Chart	Incident Commander	Public Information Officer	Backup Public Information Officer as determined by CERT Chart
<b>SECONDARY</b>					
<b>Email</b>	Public Information Officer	Backup Public Information Officer as determined by CERT Chart.	Incident Commander	Public Information Officer	Backup Public Information Officer as determined by CERT Chart.

All students and all employees are automatically entered into the Mitel Mass Notification and RAVE systems. Visitors to campus may [sign up for RAVE text alerts](http://www.getrave.com/login/swtc) ([www.getrave.com/login/swtc](http://www.getrave.com/login/swtc)).

The Incident Commander and the Public Information Officer will collaborate on the message. The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information. Follow-up information will be distributed using the public address system, text message, and/or email notification.

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 Southwest Tech website and/or social media. Empathia, a crisis management service, will be used in the event of a major incident.

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The emergency evacuation procedures are tested annually. Members from the Core Emergency Response Team conduct the evacuation drills once each semester. The emergency notification systems are activated and all employees and students are expected to participate in the drill. During the tests, 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. Building occupants are not notified 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, Safety & Security Office staff on the scene will communicate information to students, employees, and visitors regarding the developing situation or any evacuation status changes.

Two fire evacuation drills are annually conducted for the Southwest Tech Real-Estate Foundation Student Housing students. The Resident Life Manager and the Executive Director of Facilities, Safety & Security conduct fire drills once each semester. All apartment units within each building have interconnected fire detection devices that are randomly activated during these drills. Students receive a notice at the time of the drill through the RAVE emergency notification system used by the college for emergency notifications. The students and Resident Life Manager and Executive Director of Facilities, Safety & Security meet in a designated spot on the Student Housing residential grounds and discuss safety measures in the event of an actual fire. The Student Housing Emergency Response Plan is a part of each apartment's handbook. In addition, there is an evacuation poster on the back of each apartment door for students to familiarize themselves with the evacuation plan.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. Evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. The occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

The following procedures are used in evacuation instances:

### **Campus and Housing Shelter in Place**

All students and employees will be notified via Mitel Mass Notification System of the campus evacuation and should shelter in place and await further instructions.

- Keep everyone in their current location
- Lock the door(s),
- Close blinds or pull shades.
- Stay out of the hallway.

### **Campus and Housing Evacuation**

All students and employees will be notified via Mitel Mass Notification System of campus and housing evacuation and the plan of action to evacuate.

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When student housing is evacuated, tenants may use their own transportation to immediately leave campus and may not return until notified. Tenants without transportation should report immediately to the Auto/Ag Building 1700 Walk through Area.

Anytime exiting the building is not an option, students and employees should:

- Keep everyone in the current location
- Turn off lights.
- Lock and barricade the door(s), if possible.
- Close blinds or pull shades, cover windows.
- Move out of sight from the hallway and onto the floor.
- Be prepared to defend yourself using any means necessary.
- If needed, administer first aid until medical assistance arrives.

**Be sure to use personal protective equipment (PPE) whenever possible.**

### Housing Only Evacuation

All tenants will be notified via Mitel Mass Notification System of housing evacuation and the plan of action to evacuate.

When housing is evacuated, tenants may use their own transportation to immediately leave housing and may not return until notified. Tenants without transportation should report immediately to the Ag/Auto Building 1700 Walkthrough Area.

### Notification of Emergencies

Southwest Wisconsin Technical College utilizes Timely Warnings and Emergency Notifications and Safety Alerts to protect our students, employees, visitors, and the public, if necessary, and make them aware of a security issue or an emergent situation on campus. The college will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus unless issuing a notification will, in the professional judgement of the Incident Commander and Public Information Officer, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. To reach as many people as possible, the notification of emergencies, either a Timely Warning or an Emergency Notification, will be distributed across many different communication channels. Immediate notifications will be distributed via a Mitel Mass Notification and/or RAVE alert to students, employees, and visitors on campus and around the Southwest Wisconsin Technical College area. Follow-up warnings may be shared using any or all of the following methods: posted on exterior doors of any affected Southwest Tech location and on the Southwest Tech website, electronically mailed, provided using text messages, posted on digital signage, and media reports released to local radio and TV stations for mass broadcast.

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### **Timely Warning**

In compliance with the Jeanne Clery Campus Safety Act, for any incident on campus, in or on non-campus buildings or property, and on public property adjacent to property owned or controlled by the college that is ongoing or a continuing serious threat to the students, employees, or visitors, a timely warning will be issued. This warning will be at the discretion of the Incident Commander or the President of the College or their designee, and will be distributed to students, staff, or visitors as soon as possible after the incident is reported. The warning will provide information that will aid in the prevention of similar occurrences, while withholding the names of victims as confidential. Such reports will be limited to not compromise an ongoing investigation or violate any HIPAA or FERPA Laws.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger Southwest Tech community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Title IX Coordinator and Deputy Coordinators, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non- stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Executive Director of Facilities, Safety and Security or his or her designee in his or her absence.

Timely Warning Notices may also be posted for other crime classifications and locations, even though that is not required by the law, at the sole discretion of Southwest Tech. Timely Warning Notices are typically written and distributed by the Public Information Officer or Back-up Public Information Officer using the methods identified under Notification of Emergencies.

Please note that the College is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

### **Emergency Notifications**

Emergency Notifications are distributed when there is an immediate on-campus threat to the health or safety of students, employees, visitors, or the public for situations that are currently occurring on or imminently threatening the campus. The Emergency Notification may be sent

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to all stakeholders or it may be segmented to only a part of the campus community, if appropriate.

The types of incidents that may cause an immediate threat to the community (and therefore require an emergency notification) could include, but are not limited to:

- An active shooter on campus
- Hostage/barricade situation
- A riot
- Suspicious package with confirmation of a device
- A tornado/earthquake
- A fire/explosion
- Suspicious death
- Structural damage to a college-owned or controlled facility
- Outbreak of meningitis, norovirus, or other serious illness
- Biological threat (anthrax, etc.)
- Significant flooding
- A gas leak
- Hazardous materials spill, etc.
- Other risk factors, including ones that have been present in the environment for an extended period of time such as asbestos or lead paint

Emergency Notifications may also be posted for other crime classifications and locations, even though that is not required by the law, at the sole discretion of the Incident Commander and/or President. They can also be posted for severe storms, chemical spills, disease outbreaks, etc. Emergency Notifications are typically written and distributed by the Public Information Officer or Back-up Public Information Officer using the methods identified under Notification of Emergencies.

### **Safety Alerts**

Safety alerts are issued for weather-related issues, especially during the winter, and potential severe weather and environmental health risks. Safety alerts may be segmented and will use the same notification systems for Timely Warnings or Emergency Notifications

## **Reporting Criminal Actions, Hazing Incidents, or Other Emergencies**

All members of the Southwest Tech community and all visitors are encouraged to accurately and promptly report potential criminal activity, suspicious behavior, hazing incidents, and any emergencies on campus to Safety & Security Office at 608-822-2097 or by reporting it electronically at [Report a Concern to Southwest Tech](https://www.swtc.edu/student-resources/campus-services/campus-security-safety#concern) (<https://www.swtc.edu/student-resources/campus-services/campus-security-safety#concern>).

## **Reporting to Meet Disclosure Requirements**



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Students and employees should report criminal offenses to the Safety & Security Office at 608-822-2097 or by reporting it electronically at [Report a Concern to Southwest Tech](https://www.swtc.edu/student-resources/campus-services/campus-security-safety#concern) (<https://www.swtc.edu/student-resources/campus-services/campus-security-safety#concern>) for the purpose of assessing the crime for potential distribution of a timely warning notice and the annual statistical disclosure.

Members of the Southwest Tech community are encouraged to accurately and promptly report crime and emergencies to the Safety & Security Office at 608-822-2097 or by reporting it electronically at [Report a Concern to Southwest Tech](https://www.swtc.edu/student-resources/campus-services/campus-security-safety#concern) (<https://www.swtc.edu/student-resources/campus-services/campus-security-safety#concern>) including when the victim of a crime elects to, or is unable to, make such a report.

Southwest Tech does not have any non-campus locations of student organizations officially recognized by the College and does not require local police agencies to report criminal activities for this purpose. For non-campus facilities owned or controlled by the College, local police agencies do report criminal activities.

### **Response to a Report**

In response to a report, the Safety & Security Office, 608.822.2097, will take the required action, either dispatching a responder or asking the victim to report to the Safety & Security Office to file an incident report. All reported crimes will be investigated by the College and may become a matter of public record. The Safety & Security Office personnel reviews incident reports for potential action, as appropriate. Safety & Security Office investigators will investigate a report when it is deemed appropriate. If assistance is required from the Fennimore Police Department or the Fennimore Fire Department, the Safety & Security Office will contact the appropriate unit.

### **Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. The Executive Director of Facilities, Safety & Security can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual discrimination). The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to enhance the future safety of themselves and others. With such information, Southwest Tech officials can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

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### Professional Counselors

Campus “Professional Counselors,” when acting as such, are not considered to be a campus security authority for Clery Act purposes and are **not** required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional counselors at Southwest Tech are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to the Safety & Security Office.

*Professional Counselor* - An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

Southwest Tech employs one Mental Health Counselor, whose duties align with that of a professional counselor. Southwest Tech does not employ any pastoral counselors.

Please note that reports of sexual violence and other violations that may be sex- or gender-based will be reported to the Title IX Coordinator and cannot be held in confidence. The name of the individual involved will not be revealed to the Title IX Coordinator.

### Drug and Alcohol Policy

Southwest Tech prohibits the unlawful possession, use, and sale of alcoholic beverages and illegal drugs on campus and is committed to maintaining an alcohol and drug-free learning and work environment for students, faculty, staff, and visitors. An alcohol and drug-free campus provides for a safe and healthy campus and workplace for all. This policy applies to students, employees, and the public on Southwest Tech’s owned and leased property, including housing, owned, leased, or controlled by the College, Foundation or Real Estate Foundation, and, at College-sponsored activities and events. This policy also applies to college-sponsored off-campus activities and locations wherever held. The provisions of this policy are intended to comply with applicable state and federal laws including but not limited to: the Drug Free Schools and Communities Act Amendment of 1989; the Drugfree Workplace Act of 1988; the Americans with Disabilities Act of 1990; the 1989 Wisconsin Act 121; and the Uniform Controlled Substances Act, Wisconsin Statutes Chapter 161.

Employees, students, and campus guests, regardless of age, are expected to refrain from the use of alcohol and use of drugs, other controlled substances, and/or related paraphernalia, including hookahs, on Southwest Tech-owned or leased premises including Foundation and Real Estate Foundation-owned or leased premises or at College-sponsored/supported events, while driving a College vehicle or while otherwise engaged in College business. The only exception is if alcohol is served as part of an event listed under the Allowable Use of Alcohol and Other Drugs section of the college’s Alcohol & Other Drugs policy. Employees must follow the requirements related to alcohol, drugs, and controlled substances in the Employee Handbook. Students must also follow the requirements related to alcohol, drugs, and controlled substances in the Student Code of Conduct and Student Handbook. In addition, housing students must follow the requirements related to alcohol, drugs, and controlled substances in

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the Student Housing Lease and the Student Housing Handbook.

The College has established a Drug & Alcohol Awareness Prevention Program (<https://www.swtc.edu/student-resources/policies-procedures/drug-free-schools>) for all employees and students. This program includes distribution of its policies, sanctions for violations, health risks associated with alcohol and other drug use, and resources available to students and employees.

Local law enforcement is responsible for the enforcement of state underage drinking laws and illegal substances laws. Students who violate federal and state underage drinking and illegal substances laws are referred to Student Conduct for review and sanctions.

All students are encouraged to seek help early if they feel they have a problem with drugs and/or alcohol and to learn how to assist others with substance abuse problems. Students have access to the Southwest Tech's Mental Health Counselor for assessment and/or intervention referral for alcohol and other drugs.

Employees who violate the Alcohol & Other Drug Policy are subject to the progressive discipline process administered by the Human Resources Office. Employees with alcohol or drug abuse problems are strongly encouraged to seek help. Alcohol and drug abuse rehabilitation and assistance programs are available through the College's health benefits program and through the College Employee Assistance Program. Employees may contact the Human Resources Office to seek assistance and/or referral to an appropriate outside agency. Employees are encouraged to use the College Employee Assistance Program for assessment and/or intervention referral.

## **Missing Student Notification**

In accordance with the Higher Education Opportunity Act, Southwest Tech developed and implemented procedures to be followed when residential students are determined to be missing for 24 hours. Students residing in campus housing will be informed annually that each student has the option to identify a person(s) designated as a confidential missing person contact to be notified by Southwest Tech no later than 24 hours after the time the student is determined to be missing by the designated College official authorized to make that determination (specifically, the Resident Life Manager) or the local law enforcement agency in which the student went missing. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and this information will be accessible only to authorized campus officials and law enforcement and it may not be disclosed outside of a missing person investigation.

The Resident Life Manager or designee will notify any missing student's confidential contact(s), if provided, within 24 hours of the determination that the student is missing. In the event a student under 18 years of age and not emancipated, Southwest Tech must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any confidential contact person designated by the student. For all missing students, the Resident Life Manager or Designee will notify the local law enforcement agency

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within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination the student is missing.

Suspected missing students who live in student housing should be reported immediately to the Resident Life Manager or designee. If members of the Southwest Tech community believe that a student has been missing for 24 hours or are missing based on other evidence, it is critical that they report that information to Resident Life Manager by calling 608-822-2366. Should the Resident Life Manager or designee investigate and determine that a residential student is missing, contact will then be made to the missing person's contact, if contact information has been provided, within twenty-four (24) hours of the determination that the student is missing by the Resident Life Manager. If the student is under the age of 18 and is not an emancipated individual, the Resident Life Manager will notify the student's parents or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, The Resident Life Manager will inform the Fennimore Police Department (or the local law enforcement with jurisdiction) that the student is missing within 24 hours.

## **Jeanne Clery Campus Safety Act as Amended by the Violence Against Women Act**

Southwest Tech 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**

Southwest Wisconsin 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, Southwest Tech prohibits acts of sex- and gender-based discrimination including the crimes of Domestic Violence, Dating Violence, Sexual Assault and Stalking. Southwest Tech employees who become aware of instances or allegations of sexual misconduct by or against a Southwest Tech student or employee must report the alleged misconduct to the Title IX Coordinator or Deputy Title IX Coordinators.

The crimes of Domestic Violence, Dating Violence, Sexual Assault, and Stalking, which are defined by the Clery Act, are as follows:

- **Domestic Violence:**
  - i. 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;

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- 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 from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  - ii. 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.
- **Dating Violence:** (VAWA Definition) Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - i. The existence of such a relationship 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.
  - ii. For the purposes of this definition—
    - A. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse;
    - B. Dating violence does not include acts covered under the definition of domestic violence.
  - iii. 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.
- **Sexual Assault** is a form of Sexual Misconduct and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's gender or sex.
  - **Rape** (VAWA Definition) 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.
  - **Fondling** (VAWA Definition) is defined as the touching of the private 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.
  - **Incest** (VAWA Definition) is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape** (VAWA Definition) is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking:** (VAWA Definition)
  - i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

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- a. Fear for the person's safety or the safety of others; or
- b. Suffer substantial emotional distress.
- ii. For the purposes of this definition—
  - a. *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.
  - b. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
  - c. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- iii. 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.

### Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

- **Domestic Violence:** The state of Wisconsin defines domestic violence as follows:  
Domestic Violence: "Domestic abuse" means any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided or 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 [s. 940.225 (1), (2) or (3)] is identified below
  - Stalking (s. 940.32)
- **Dating Violence:** The state of Wisconsin defines dating violence as follows: The state of Wisconsin does not have a definition of dating violence per se. However, it does allow for "Dating Relationships" to be included within its definition of "Domestic Abuse". Wisconsin's definition of a Dating Relationship is "a romantic or intimate social relationship between 2 adult individuals but "dating relationship" does not include a causal relationship or an ordinary fraternization between 2 individuals in a business or social context. A court 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."
- **Sexual Assault:** The state of Wisconsin defines sexual assault as follows: Sexual Assault: The state of Wisconsin Statutes 940.225, which categorizes sexual assault into four degrees of severity, defines it as follows:  
FIRST DEGREE—whoever does any of the following is guilty of a Class B felony:
  - Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
  - Has sexual contact or sexual intercourse with another person without consent

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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.

- 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.
- Commits a violation under sub. (2) against any individual who is 60 years of age or older. This paragraph applies irrespective of whether the defendant had actual knowledge of the victim's age. A mistake regarding the victim's age is not a defense to a prosecution under this paragraph.

**SECOND DEGREE**—whoever does any of the following is guilty of a Class C felony:

- Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- 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.
- 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.
- Has sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.
- Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
- 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.
- Is an employee of a facility or program under s. 940.295 (2) (b), (c), (h) or (k) and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility or program.
- Has sexual contact or sexual intercourse with an individual who is confined in a correctional institution if the actor is a correctional staff member. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.
- Has sexual contact or sexual intercourse with an individual who is on probation, parole, or extended supervision if the actor is a probation, parole, or extended supervision agent who supervises the individual, either directly or through a subordinate, in his or her capacity as a probation, parole, or extended supervision agent or who has influenced or has attempted to influence another

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probation, parole, or extended supervision agent's supervision of the individual. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

- Is a licensee, employee, or nonclient resident of an entity, as defined in s. 48.685 (1) (b) or 50.065 (1) (c), and has sexual contact or sexual intercourse with a client of the entity.
- Is a law enforcement officer and has sexual contact or sexual intercourse with any person who is detained by any law enforcement officer, as provided under s. 968.24, or is in the custody of the law enforcement officer. This paragraph applies whether the custody is lawful or unlawful and whether the detainment or custody is actual or constructive. Consent is not an issue in an action under this paragraph.

**THIRD DEGREE**—whoever has sexual intercourse with a person without the consent of that person is guilty of a Class G felony. Whoever has sexual contact in the manner described in sub. (5) (b) 2. or 3. with a person without the consent of that person is guilty of a Class G felony.

**FOURTH DEGREE**—Except as provided in sub. (3), whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

\*\*\*For clarification and reference, "Sexual contact" means any of the following:

- Any of the following types of intentional touching, whether direct or through clothing, if that intentional touching is either for the purpose of sexually degrading; or for the purpose of sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery under s. 940.19 (1):
  - Intentional touching by the defendant or, upon the defendant's instruction, by another person, by the use of any body part or object, of the complainant's intimate parts.
  - Intentional touching by the complainant, by the use of any body part or object, of the defendant's intimate parts or, if done upon the defendant's instructions, the intimate parts of another person.
  - Touching by the complainant of the ejaculate, urine, feces, of any person upon the intentional instructions of the defendant, upon the use or threat of force or violence by the defendant, or upon an intentional act of the defendant.
- Intentional penile ejaculation of ejaculate or intentional emission of urine or feces by the defendant or, upon the defendant's instruction, by another person upon any part of the body clothed or unclothed of the complainant if that ejaculation or emission is either for the purpose of sexually degrading or sexually humiliating the complainant or for the purpose of sexually arousing or gratifying the defendant.



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- For the purpose of sexually degrading or humiliating the complainant or sexually arousing or gratifying the defendant, intentionally causing the complainant to ejaculate or emit urine or feces on any part of the defendant's body, whether clothed or unclothed.

\*\*\*For clarification and reference, "Sexual intercourse" means vulvar penetration and does not require emission, 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 defendant or upon the defendant's instruction. The emission of semen is not required.

The state of Wisconsin, per Statute 944.06, defines the crime of Incest as follows:

Whoever marries or has non-marital sexual intercourse with a person he or she knows is a blood relative and such relative (2<sup>nd</sup> cousin or closer) is in fact related in a degree within which the marriage of the parties is prohibited by the law of this state in guilty of a Class F.

The state of Wisconsin terms "statutory rape," or sexual intercourse with a person under the age of consent, "Sexual Assault of a Child (s. 948.02), and is divided into 2 degrees of severity. It is defined by the state as follows:

### FIRST DEGREE SEXUAL ASSAULT:

- (a) Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 13 years and causes great bodily harm to the person is guilty of a Class A felony.
- (b) Whoever has sexual intercourse with a person who has not attained the age of 12 years is guilty of a Class B felony.
- (c) Whoever has sexual intercourse with a person who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony.
- (d) Whoever has sexual contact with a person who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony if the actor is at least 18 years of age when the sexual contact occurs.
- (e) Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 13 years is guilty of a Class B felony.

### SECOND DEGREE SEXUAL ASSAULT:

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

- **Stalking:** The state of Wisconsin defines stalking (per Statute 940.32) as follows: an intentional and particular course of conduct engaged in by one person against another. This course of conduct means a series of 2 or more of the following acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:

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- Maintaining a visual or physical proximity to the victim.
  - Approaching or confronting the victim.
  - Appearing at the victim's workplace or contacting coworkers or employers of the victim.
  - 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, text message, electronic message, electronic mail, or other means of electronic communication or causing the victim's telephone or electronic device or any other person's telephone or electronic device to ring or generate notifications repeatedly or continuously, regardless of whether a conversation ensues.
  - Photographing, videotaping, audiotaping or, by other electronic means, monitoring or recording the activities of the victim. This subdivision applied regardless of where the act occurs.
  - Sending to the victim any physical or electronic material or contacting the victim by any means, including any message, comment, or other content posted on any Internet site or web application.
  - Sending to a member of the victim's family or household, or any current or former employer of the victim, or any current or former coworker of the victim, or any friend of the victim any physical or electronic material or contacting such person by any means, including any message, comment, or other content posted on any Internet site or web application for the purpose of obtaining information about, disseminating information about, or communicating with 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.
- **Consent:** The state of Wisconsin defines consent, in relation to sexual activity, as follows: 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.

Southwest Tech defines **Consent** 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.

Southwest Tech uses the college's definition of consent in investigating alleged sexual misconduct and in determining sanctions against students and employees.

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### How to Be an Active Bystander

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. Based on Hollaback!’s 5Ds<sup>2</sup>, the following will aid you in being an active bystander. 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.

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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 resources from the American Psychological Association.

#### **Hollaback!’s 5D’s**

##### **Distract**

Distraction is a subtle and creative way to intervene. Derail the situation by interrupting it.

- Ignore the harasser and engage directly with the person who is being targeted. Don’t talk about or refer to the harassment.
- Instead, talk about something completely unrelated. Read the situation and choose your distraction method accordingly.

The person who is being targeted will likely catch on, and hopefully your act or statement will de-escalate the situation.

##### **Delegate**

Delegation is when you ask for assistance, a resource, or for help from a third party.

- Find another person and ask them to intervene or intervene together.
- Work together with a friend to distract the person being targeted while you find someone with more authority to delegate to.
- Call 911. Before contacting 911, use Distract to check in with the person being targeted to make sure they want you to do this. Some people may not be comfortable or feel safe with the intervention of law enforcement.

##### **Document**

It can be really helpful to record an incident as it happens to someone; however, there are a number of things to keep in mind to safely and responsibly document harassment.

- Assess the situation. Is anyone helping the targeted person? If not, use one of the other four D’s to engage someone else to help out.
- ALWAYS ask the targeted person what they want to do with the recording. NEVER post it online or use it without their permission.

##### **Delay**

Even if you can’t act in the moment, you can make a difference for the targeted person

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by checking in on them after the fact.

- Ask them if they're okay and tell them you're sorry that happened to them.
- Ask them if there's any way you can support them.
- Offer to accompany them to their destination or sit with them for awhile.
- Share resources with them and offer to help them make a report if they want to.
- If you've documented the incident, ask them if they want you to send it to them.

### Direct

You may want to directly respond to a situation by naming what is happening or confronting the harasser. This tactic may be risky; the harasser may redirect their abuse towards you and may escalate the situation. Before you decide to respond directly, assess the situation to make sure you and the other victim are physically safe and the victim wants you to speak up. If you choose to directly intervene, some things you can say are:

- That's inappropriate, disrespectful, not okay, etc.
- Leave them alone.
- We don't do that here.

Keep it short and succinct. Try not to engage in dialogue, debate, or an argument to avoid escalation of the situation. Try your best to assist the person who was targeted instead of engaging the harasser. Direct intervention can be risky, so use this tactic with caution.

## 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))

- a. **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.
- b. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- c. **Walk with purpose**. Even if you don't know where you are going, act like you do.
- d. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- e. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- f. **Make sure your cell phone is with you** and charged and that you have cab money.
- g. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- h. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- i. **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.
- j. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see

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something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

- k. **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.
- l. **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.
- m. **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.
- n. **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).**
- o. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - i. **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.
  - ii. **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.
  - iii. **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.
  - iv. **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.
- p. **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?
- q. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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

Educational programming related to domestic violence, dating violence, sexual assault, and stalking consists of primary prevention and awareness programs. The following chart describes the different types of prevention and awareness training for employees and

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students.

<b>Name of Presentation</b>	<b>Brief Description</b>
Sexual Harassment – Draw the Line	This online training is required for all new employees during the employee onboarding. The training covers the topics of responsibility to report, types of sexual harassment, and retaliation.
Title IX Sexual Harassment and Designated Reporter	Topics are offered at one in-service or online each year to provide awareness of sexual harassment for all faculty and staff.
Violence Against Women's Act (VAWA)	Annual online training offered through D. Stafford & Associates for all employees. The training focuses on responding in sound ways to reported offenses of domestic violence, stalking, sexual assault, and dating violence; bystander intervention; and risk reduction.
Situational Awareness	An interactive workshop on being aware of your surroundings, what is happening, and how to handle various situations. This is offered to all employees at in-service or department meetings and students at classroom presentations.
See Something, Say Something	An interactive workshop on being cognizant of what is going on around you and reporting any suspicious behavior, activities, or other actions. This is offered to all employees at in-service or department meetings and students at classroom presentations.
Run, Hide, Fight	An interactive workshop on what to do if there is a threat on campus. The Run, Hide, Fight video is shown as well as a review of the location where most of your time is spent. This is offered to all employees at departmental meetings and to students at classroom presentations.
Campus Security Authority (CSA) Training	<p>Identified CSAs take the General CSA training the first year they are identified as a CSA and the CSA recertification training is required for subsequent years an employee is a CSA. This training is offered online through D. Stafford &amp; Associates annually.</p> <p>The General CSA training includes identifying CSAs and their reporting obligations, geographic locations, classification and definition of crimes, issues regarding arrests and judicial referrals for drug, liquor, and weapon violations, timely warning requirements, daily log requirements, annual disclosure requirements, and reporting emergencies, fires, and missing persons.</p> <p>The CSA Recertification training includes an overview of recent media attention regarding institutions who are under review, review of who CSAs are and their reporting obligations, Clery Reportable Geography, Reportable Clery Crimes, and a review of the Timely Warning Notice requirements.</p>

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Name of Presentation	Brief Description
Recognize Respond Refer	This training will teach participants how to recognize when someone is experiencing a mental health crisis, respond appropriately, and connect them to the appropriate resources.
Healthy Relationships	Sexual assault awareness activity for students. Offered as a Lunch and Learn for students.
Mental Health Awareness Bingo	This activity explored mental health and how to identify any issues you or others may be experiencing and resources to help those experience a mental health issue. The activity was directed to the students and offered in person.
Understanding Our Stress Cycle	This is a workshop on causes of stress in our life such as work, family, schooling, relationships with tips and tricks to de-stress. It was offered in person to the students.
Emotion Regulation Workshop	This workshop provides skills to help participants understand the function of emotions, the action urge that accompanies each emotion, and whether to heed or oppose these urges.
Mindful Yoga	This workshop provides yoga practice strategies to improve mindfulness and reduce stress.

Southwest Tech's procedures for victims, availability of counseling, and external resources, disciplinary actions include:

- i. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
- ii. how the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
- iii. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
- iv. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document).

### **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 at (Grant Regional Medical Center, Lancaster, Wisconsin, or hospital of choice). In Wisconsin, evidence may be collected even if you chose not to make a report to law enforcement. 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

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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 the Executive Director of Facilities, Safety & Security or law enforcement to preserve evidence in the event the victim decides to report the incident to law enforcement or the College at a later date to assist in proving the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

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

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement, 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 College will assist any victim with notifying law enforcement if the victim so desires.

Fennimore Police Department may also be reached directly by calling (608) 822-3215, in person at 860 Lincoln Ave, Fennimore WI. Additional information about the [Fennimore Police Department](https://fennimore.com/city-government/police-department) (<https://fennimore.com/city-government/police-department>) is available on their website.

### **Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator and Deputy Coordinators, or designee at [titleix@swtc.edu](mailto:titleix@swtc.edu). Reports of all domestic violence, dating violence, sexual assault and stalking will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

### **Procedures the College Follows 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 individuals 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, medical care, mental health, victim advocacy, legal assistance, visa and immigration



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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 individual requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the local law enforcement. Students and employees should contact the Safety & Security Office at 608-822-2097.

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

### **Incident Being Reported – Sexual Assault**

#### **Procedure Institution Will Follow:**

1. Depending on when reported (immediate vs delayed report), Southwest Tech will provide complainant with access to medical care.
2. Southwest Tech will assess immediate safety needs of complainant.
3. Southwest Tech will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department.
4. Southwest Tech will provide complainant with referrals to on- and off-campus mental health providers.
5. Southwest Tech will assess need to implement interim or long-term protective measures, if appropriate.
6. Southwest Tech will provide the victim with a written explanation of the victim's rights and options.
7. Southwest Tech will provide a "No Trespass" directive to accused party if deemed appropriate.
8. Southwest Tech will provide written instructions on how to apply for a Protective Order.
9. Southwest Tech 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.
10. Southwest Tech 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.
11. Southwest Tech 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.

### **Incident Being Reported – Stalking**

#### **Procedure Institution Will Follow:**

1. Southwest Tech will assess immediate safety needs of complainant.
2. Southwest Tech will assist complainant with contacting local police if complainant

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requests and provide the complainant with contact information for local police department.

3. Southwest Tech will provide written instructions on how to apply for Protective Order
4. Southwest Tech will provide written information to complainant on how to preserve evidence.
5. Southwest Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Southwest Tech will provide the victim with a written explanation of the victim's rights and options.
7. Southwest Tech will provide a "No Trespass" directive to accused party if deemed appropriate.

### **Incident Being Reported – Dating Violence**

#### **Procedure Institution Will Follow:**

1. Southwest Tech will assess immediate safety needs of complainant.
2. Southwest Tech will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department.
3. Southwest Tech will provide written instructions on how to apply for Protective Order
4. Southwest Tech will provide written information to complainant on how to preserve evidence.
5. Southwest Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Southwest Tech will provide the victim with a written explanation of the victim's rights and options.
7. Southwest Tech will provide a "No Trespass" directive to accused party if deemed appropriate.

### **Incident Being Reported – Domestic Violence**

#### **Procedure Institution Will Follow:**

1. Southwest Tech will assess immediate safety needs of complainant.
2. Southwest Tech will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department.
3. Southwest Tech will provide written instructions on how to apply for Protective Order
4. Southwest Tech will provide written information to complainant on how to preserve evidence.
5. Southwest Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Southwest Tech will provide the victim with a written explanation of the victim's rights and options.
7. Southwest Tech will provide a "No Trespass" directive to accused party if deemed appropriate.

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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 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 existing resources within the institution and in the community including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims;
- a statement regarding the college's provisions about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;
- an explanation of the procedures for college disciplinary action that include a prompt, fair, and impartial process from the initial investigation to the final result;
- procedures that provide the accuser and the accused with the same opportunities to have others present during any college disciplinary proceeding, including the opportunity to be accompanied to a related meeting or proceeding by an advisor of their choice;
- procedures that note that the result of the college disciplinary proceeding that arises from an allegation of the dating violence, domestic violence, sexual assault, or stalking require simultaneous notification, in writing, to both the accuser and the accused;
- the college's procedures for the accused and the victim to appeal the result of the college disciplinary proceeding, if such procedures are available;
- the college's procedures for notifying the accused and accusers simultaneously, in writing, of any change to the result;
- a description of each type of disciplinary proceeding used by the college including the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding; how to file a disciplinary complaint, and how the college determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault, or stalking;
- a description of the standard of evidence that will be used during any college disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking;
- a listing of all possible sanctions that the college may impose following the results of a college disciplinary procedure for an allegation of dating violence, domestic violence, sexual assault, or stalking; and
- a description of the range of protective measures that the college may offer to the victim following an allegation of dating violence, domestic violence, sexual assault, or stalking.

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### Rights of Victims and the Institution'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

Southwest Wisconsin Technical College complies with Wisconsin law in recognizing orders of protection. Any person who obtains an order of protection from Wisconsin or any reciprocal state(s) should provide a copy to the Executive Director of Facilities, Safety and Security and the Office of the Title IX Coordinator. A complainant may then meet with the Executive Director of Facilities, Safety and Security to develop a Safety Action Plan, which is a plan for campus staff and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to, safety escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc. The College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

The table below are the types of orders available through the criminal justice system.

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: <ul style="list-style-type: none"> <li>Spouses, former spouses</li> <li>Parent, child, foster parent</li> <li>People who have kids together</li> <li>Intimate partners who lived together in the last 5 years</li> <li>Same sex couples are eligible</li> </ul>	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 College's Title IX Coordinator or Deputy Title IX Coordinators may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the

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College's Title IX Coordinator or Deputy Title IX Coordinators receives a report that such an institutional no contact order has been violated, the College's Title IX Coordinator or Deputy Title IX Coordinators who 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.

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

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Southwest Tech 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, Title IX Coordinators or Deputy Coordinators 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 the Title IX Coordinator or Deputy Coordinators.

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

Krista Weber, Chief Human Resources Officer  
[Titleix@swtc.edu](mailto:Titleix@swtc.edu)  
(608) 822-2315  
Building 300, Room 319

#### **Deputy Title IX Coordinators:**

Holly Clendenen, Chief Student Services Officer [Include Office Address]  
[Titleix@swtc.edu](mailto:Titleix@swtc.edu)  
608-822-2362  
Building 400, Room 480

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Dan Imhoff, Executive Director of Facilities, Safety, and Security [Include Office Address]  
[titleix@swtc.edu](mailto:titleix@swtc.edu)  
608-822-2401  
Building 500, Room 514

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

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Southwest Tech will 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.

## **Confidentiality**

Victims may request that directory information on file with the College be withheld by Student Services. Regardless of whether a victim has opted-out of allowing the College 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. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the daily crime log and annual crime statistics that are disclosed in compliance with the *Jeanne Clery Campus Safety Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

## **Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking**

### **Student Conduct**

1. The process must treat complainants equitably by imposing remedies any time a respondent is found responsible:
  - a. Remedies must be designed to maintain the complainant’s equal access to education and may include the same individualized services that were initially offered as supportive measures.

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- b. Remedies, in the event the respondent is found responsible, need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
2. The process must treat respondents equitably by not imposing disciplinary sanctions without following due process protections offered through the formal grievance process.
3. The Student Conduct Hearing is a closed hearing; it is not open to the public. The individuals who may appear before the Student Conduct Hearing Board are:
  - a. The complainant or \*Title IX Coordinator
    - i. Where the Title IX Coordinator signs a formal complaint (in events where the alleged victim cannot or will not present his or her own complaint) , the Title IX Coordinator is not a complainant or party during the grievance process and must comply with all Title IX personnel to be free from conflicts and bias.
  - b. The respondent
  - c. Any individual serving as an approved Advisor
  - d. Title IX Coordinator
  - e. Title IX Investigators
  - f. Any individuals appearing as witnesses.
4. The Student Conduct Hearing is a live hearing. Live hearings may be conducted with all parties physically present at the same geographic location, or at the College's discretion or request by either party, any or all parties, witnesses or other participants may appear at the live hearing through virtual means. This technology must allow the parties to clearly see and hear each other.
5. If the complainant or respondent does not have an advisor, the College will provide an advisor at no cost or charge. This advisor may be, but is not required to be, an attorney and will conduct all cross-examination questioning on behalf of that party.
6. Before and after giving testimony, witnesses may be excluded from the room or building where the hearing occurs.

### **Student Code of Conduct**

Southwest Wisconsin Technical College (College) promotes a learning-centered environment dedicated to the advancement of personal growth and knowledge. The College believes every student has the right to pursue an education in a community that values respect, integrity, and inclusivity. To this end, the College prohibits conduct on its campus and in its student housing, which impedes learning, disrupts a peaceful campus environment, and does not promote a cohesive culture based on professionalism, fairness, and trust.

The Student Code of Conduct (Code) sets forth the rights and responsibilities of students at the College, outlines the process for addressing unacceptable behavior, and identifies a range of disciplinary consequences. The Code is designed to provide students with due process and procedural fairness, to ensure equal protection for all students, and to ensure consistency in the process and the consequences. At the same time, the Code reflects the need to consider the individual circumstances of each

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student, including prior disciplinary history. Further, when possible, the Code is intended to provide students an opportunity to align their conduct with the expectations of the College.

In general, matters involving behavioral misconduct will be addressed first by the Chief Student Services Officer and the Executive Director of Safety, Security and Facilities, and matters involving academic misconduct will be addressed by the Chief Academic Officer. No matter the process implemented for each matter, final authority over all matters of student misconduct remains under the authority of the President of the College.

### Jurisdiction

The Code applies to students (and their guests) and employees on property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, at College-sponsored activities and events, and in College housing. This Code may apply to off-campus activities and locations when conduct has an actual or potential adverse impact on the College community, including conduct which presents a danger or threat to the health or safety of self or others; significantly impinges upon the rights, property or achievements of self or others; significantly breaches the peace and/or causes social disorder; or is detrimental to the educational mission and/or interests of the College.

The Code applies to conduct that occurs in-person, in writing, via cellphone, and online via email or other electronic mediums including blogs, web postings, chats, and social networking sites.

Finally, the Code applies to all students enrolled in credit and non-credit courses.

### Due Process

Students alleged to have violated the Code are entitled to the following due process:

- Written notice of the allegations;
- Timely investigation of the allegations;
- Notice of the applicable range of consequences;
- Opportunity to respond to the allegations and participate in the adjudicatory process, including the right to provide relevant information and witnesses; and
- Appeal, if applicable.

### Behavioral Misconduct

The following conduct constitutes a violation of the Code and will subject a student to disciplinary action. Some violations below will also trigger a report to law enforcement.

1. *Noncompliance with Policies and Procedures* - Noncompliance with College policies and procedures applicable to students (and their guests) and student housing, including the lease and any other applicable housing regulations.
2. *Noncompliance with Law* - Noncompliance with any local, state, or federal law, including statutes, regulations, and ordinances.



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3. *Failure to Cooperate with Southwest Tech Administration or Faculty* - Failure to appear when requested at conferences, meetings, or hearings; failure to respond to verbal or written inquiries; knowingly furnishing false information, and failure to comply with a reasonable request regarding a Southwest Tech matter.
4. *Failure to Comply with a Directive from Southwest Tech Employee*. Failure to comply with any verbal or written directive communicated in person, in writing, via cellphone, and online via email or other electronic medium.
5. *Forgery* - Alteration or misuse of any College document, record, form, or instrument of identification.
6. *Trespassing* - Unauthorized entry into or use of property owned, leased, or controlled by the College, Foundation or Real Estate Foundation or at College-sponsored events or activities. This includes entering restricted areas—such as maintenance zones, mechanical rooms, construction sites, service roads, or other posted areas—without proper authorization. Unauthorized possession, duplication, or use of keys, swipe cards, or lock codes is also prohibited. The operation or parking of any motorized vehicle (including cars, trucks, motorcycles, ATVs, golf carts, or similar vehicles) in restricted or non-designated areas is strictly prohibited.
7. *Trademark* - Unauthorized use (including misuse) of College names and images;
8. *Misuse of Technology* – Violation of the College's [Acceptable Use of Information Technology Services Resources Policy](#), and otherwise unethical, inappropriate, or illegal use of College technology and IT resources.
9. *Use of Prohibited Items* - The use of hover boards, drones, fireworks, explosives and other prohibited items is not permitted
10. *Invasions of Privacy* - Using electronic or other means to record or photograph any person in a location where there is a reasonable expectation of privacy, such as bathrooms, locker rooms, or housing units. Storing, sharing, or distributing such unauthorized recordings or images is also prohibited.
11. *Disruptive Behavior* – Intentional or reckless conduct that disrupts College operations including, but not limited to: the obstruction of teaching, administration, activities which occur on the College campus (whether or not sponsored by the College); and acts that impair, interfere with, or obstruct the orderly conduct, processes and functions of the College. Classroom disruptions include conduct that a reasonable person would view as substantially or repeatedly interfering with faculty's ability to teach or student's right to learn.
12. *Assault or Battery* - Threats of physical harm or physical harm against another individual.
13. *Disorderly Conduct/Fighting* – Conduct which is inappropriately loud, lewd, indecent or obscene and conduct that constitutes prohibited behavior in designated areas (e.g. Knox Learning Center, Testing Center, Charley's, housing, laboratory areas), with or without the presence of formal signage.
14. *Abusive Acts* - Acts of verbal or physical abuse, or acts which intimidate, harass, threaten, coerce, or otherwise endanger the health or safety of any person or create a hostile learning or working environment.
15. *Hazing* - Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons), against another person or persons regardless of the willingness of such other person or persons to participate, that

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- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization (any group that includes 2 plus members that are enrolled students that are formally recognized by the College, established by the College, or is a group of 2 plus members that meets for a common goal); and
  - Causes or creates a risk, above the reasonable risk encountered in the course of participation in the College or a College organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injuring including:
    - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
    - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
    - Causing, coercing, or otherwise inducing another person to perform sexual acts;
    - Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
    - Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
    - Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law
16. *Bullying and Cyberbullying* – Deliberate or intentional behavior, including behavior conducted on computers, cell phones, and other electronic devices, using words or actions, intended to cause fear, intimidation or harm. Bullying and cyberbullying may be repeated behavior and involve an imbalance of power. This includes the creation or distribution of content such as AI-generated or digitally altered images of others without consent.
17. *Harassment* – Harassing behavior includes, but is not limited to verbal, written or physical conduct that is sufficiently serious (i.e. severe, persistent or pervasive) as to limit or deny an individual's ability to participate in or benefit from the college's programs.
18. *Sexual Harassment under Title IX of the Education Amendments*. Sexual harassment under Title IX is defined as follows:
- a. A College employee conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);
  - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the College's education program or activity; or
  - c. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).
- Reports of sexual harassment will be addressed under the [Title IX: Prohibition of Sexual Harassment policy](https://www.swtc.edu/uploadedpdfs/about/policies/Title-IX-Prohibition-of-Sexual-Harassment) (PDF) (<https://www.swtc.edu/uploadedpdfs/about/policies/Title-IX-Prohibition-of-Sexual-Harassment>).

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19. *Gender Discrimination and Sexual Misconduct.* Conduct in violation of the College's Title IX: Prohibition of Sexual Harassment, including but not limited to verbal, written or physical conduct that is sufficiently serious (i.e. severe, persistent or pervasive) as to limit or deny an individual's ability to participate in or benefit from the college's programs; unwelcome or unwanted and forced or coerced sexual intercourse or sexual contact; making unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature, and/or unwelcome verbal or physical contact of a sexual nature; and sexual abuse of individuals through the exchange of sex or sexual acts for drugs, food, shelter, protection, other basics of life, and/or money. This includes creating, sharing, or possessing sexually explicit or degrading images of others---whether real or computer-generated without consent.
20. *Weapons* – Unauthorized use, possession or distribution of weapons, firearms, explosives or hazardous objects or substances on property owned or leased by the College, Foundation or Real Estate Foundation or at College-sponsored events. Weapons include knuckles; a nunchaku or any similar weapon; knives; a knife blade; baton of any type; explosive devices of any type; "look-alike" instruments or weapons (e.g., BB gun, pellet gun, or any instrument designed to look like a weapon); and pepper spray or any other device used in a threatening and/or unlawful manner.

The following are exempt from this provision:

- a. Authorized law enforcement officers in uniform or plain clothes officers with a badge on display.
  - b. Individuals participating in authorized law enforcement training activities.
  - c. Individuals transporting firearms for authorized training classes.
  - d. The possession of handguns is permitted in parking and outdoor areas when in the possession of properly licensed persons to the extent required by law.
  - e. The possession of knives as eating utensils or for the purpose of food preparation or as tools when authorized by an instructor (such as in a lab setting) is permitted.
21. *Brandishing Objects* - Displaying, showing, waving, or exhibiting any object in a manner which a reasonable person might find threatening.
22. *Illegal use, possession, sale, or distribution of controlled substances* associated paraphernalia, and/or alcohol on property owned or leased by the College, Foundation or Real Estate Foundation or at college-sponsored activities. Consumption or possession of alcohol is strictly prohibited in student housing, regardless of age. Additionally, alcohol consumption is prohibited at all College-sponsored or College-sanctioned events—on or off campus—regardless of whether the student is of legal drinking age, unless explicitly authorized in advance by the College President or their designee. This policy applies to all students representing the College in any official capacity, including during off-campus events, conferences, trips, and competitions.
23. *Retaliatory Acts* – Conduct which harms, threatens to harm, harasses, intimidates, or bullies for the purpose of discouraging the filing of a complaint or acting as a witness in a complaint proceeding or for the purpose of reprisal against any person

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or group who initiated a complaint or any person who acted as witness in such a proceeding.

24. *Theft* - Intentional and unauthorized taking of property owned or leased by the College, Foundation or Real Estate Foundation or property of any visitor or member of the College Community.
25. *Damage to Property* – Intentional damage to property owned, leased, or controlled by the College, Foundation or Real Estate Foundation or property of any visitor or member of the College Community. This includes, but is not limited to, vandalism, defacement, and graffiti—regardless of whether the damage is permanent. Applying markings, paint, stickers, or other materials to surfaces without authorization is a violation of this policy, even if the damage can be cleaned or removed.
26. *False Reports* – Knowingly making false reports of an alleged occurrence or impending occurrence knowing that such false report is likely to cause: evacuation of a building, place of assembly, or transportation facility; public inconvenience or alarm; or an emergency response.
27. *Endangering Safety* - Failing to report a fire, interfering with the response of the College or public officials to emergency calls or engaging in similar conduct which demonstrates a disregard for safety or property. Endangering safety may occur due to action (e.g., making a bomb threat or pulling a fire alarm) or inaction (e.g., failing to report).

### Behavioral Misconduct Procedure & Sanctions

Any member of the College community may report a violation of the Code of Conduct. Individuals who report a violation are referred to as “complainants” and individuals alleged to have violated the code are referred to as “respondents.” Reports should be made using the reporting form on the college website or reported directly to the Chief Student Services Officer. Reports should be sent as soon as possible following the alleged conduct to ensure timely investigation. All reports of behavioral misconduct made to other College employees will be referred to the Chief Student Services Officer or designee.

Complaints of behavioral misconduct will be addressed through the procedures set forth below. Complaints of sexual harassment under Title IX of the Education Amendments of 1972 will be addressed under the College’s the [Title IX: Prohibition of Sexual Harassment policy](https://www.swtc.edu/uploadedpdfs/about/policies/Title-IX-Prohibition-of-Sexual-Harassment-policy) (PDF) (<https://www.swtc.edu/uploadedpdfs/about/policies/Title-IX-Prohibition-of-Sexual-Harassment-policy>).

Generally, the process for addressing reports of behavioral misconduct will be completed within thirty (30) business days although the College reserves the right to extend the timeline when necessary to complete an investigation.

**Note:** When the severity of the circumstances warrants, the Chief Student Services Officer; Executive Director of Facilities, Safety, & Security; Vice President of Administrative Services; Chief Human Resources Officer; and/or President may impose upon the respondent a temporary suspension or separation from the College, including classes and College housing.

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### Step 1: Notification of Incident

- Upon receipt of a report, the Chief Student Services Officer or designee will determine if the report alleges a violation of the Code. If so, the Chief Student Services Officer will designate assigned College officials to take the following steps:
  - Contact law enforcement, if appropriate.
  - Meet with the complainant to understand the nature of the report and offer supportive services.
  - Gather other relevant information, if necessary.
  - Report to the Chief Student Services Officer who will determine whether to initiate an informal or formal resolution process.
  - Provide written notice to the respondent and complainant of the allegations in the report and inform them whether the College will initiate a formal or informal resolution process.

### Informal Resolution

- When both a complainant and respondent agree to informal resolution and an informal resolution process is warranted, the Chief Student Services Officer will conduct the informal resolution process.
- During the process, the respondent will be given the opportunity to respond and provide information relevant to the allegations in the report.
- If needed, the Chief Student Services Officer will seek additional relevant information from the complainant or other witnesses.
- Following completion of the informal resolution process, the Chief Student Services Officer will notify the complainant and respondent (if appropriate) of the outcome.
- Matters resolved through informal resolution often involve sanctions such as:
  - Service requirements
  - Restitution
  - Loss of privileges
  - Education Requirements

### Step 2: Notification & Investigation

If a formal resolution process is warranted, the Executive Director of Safety, Security and Facilities, and/or Director of Public Safety and Advising will take the following steps:

- Conduct a thorough investigation which includes the following:
  - Interview complainant, respondent, relevant witnesses, and College officials, if appropriate.
  - Review relevant documents including: student records, disciplinary records, police reports, and audio and video recordings.
  - Review College policies and procedures.
- After gathering all relevant information, meet with the respondent, share the information obtained, and provide respondent an opportunity to respond to the information.
- If needed, conduct additional interviews or gather additional information.

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### Step 3: Findings & Sanctions

- Upon completion of the investigation, the Chief Student Services Officer will review the evidence and make findings based on a preponderance of evidence standard (whether a violation is more likely than not).
- Based on the findings, the Chief Student Services Officer will determine appropriate sanctions, in conjunction with other college officials when appropriate.
  - The respondent will be notified in writing, delivered by email, mail or in person, of the findings and disciplinary sanctions (Decision).
- The Chief Student Services Officer is given broad authority to determine sanctions, based on the best interest of the respondent, complainant, other individuals, and the College. Discipline may include one or more sanctions listed below. All Decisions regarding behavioral misconduct will be maintained by the College in accordance with state and federal law.

### Sanctions for Behavioral Misconduct

The range of outcomes, consequences, and sanctions include, but are not limited to:

1. *Verbal Reprimand* – Verbal notice to the student that his/her actions are inappropriate and the individual must act more responsibly in the future.
2. *Written Reprimand* - Written notice to the student that his/her actions are inappropriate and the individual must act more responsibly in the future.
3. *Corrective Action* – Required corrective action including, but not limited to, academic counseling, substance abuse screening, writing a letter of apology, etc.
4. *Educational Program* – Enrolling in an educational program addressing the related issues. Referral to an off-campus education program may be recommended.
5. *Loss of Privileges/Access* - Denial of specified privileges for a designated period of time such as a restriction from hosting visitors and/or guests in housing; prohibitions on entering a specified housing facility; restriction from College-sponsored extracurricular activities or work positions on campus; other restrictions, as approved by the Chief Student Services Officer or designee.
6. *Restitution/Compensation*. Monetary penalties for loss, damage, or injury.
7. *No Contact Directive*. Directive to avoid all contact with complainant or other individual including via in-person, email, cellphone, social media, or other electronic medium.
8. *Mandated Housing Reassignment* – Immediate relocation of the respondent to another housing residence.
9. *Probation* - Probation for a designated period of time. Additional disciplinary sanctions will be imposed if the student engages in behavioral misconduct during the probationary period.
10. *Housing Probation* - Housing probation for a designated period of time. Additional disciplinary sanctions will be imposed if the student engages in behavioral misconduct during the probationary period.
11. *Disciplinary Suspension* - Suspension results in separation from the College for a specific minimum period of time, after which the respondent is eligible to return,

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usually after meeting certain conditions. During the suspension period, the student is banned from property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, including student housing and is banned from school-sponsored events and activities. The sanction may be enforced with a trespass action as necessary. Students suspended for disciplinary reasons are not entitled to any refund of tuition or housing fees.

12. *Housing Suspension* - Separation from the student housing area for a specific period of time, after which the student may be eligible to return. During the suspension period, the student is banned from student housing. The sanction may be enforced with a trespass action as necessary. Students suspended for disciplinary reasons are not entitled to any refund of housing fees.
13. *Expulsion* - A permanent separation from the College. The student is banned from property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, including student housing, and at College-sponsored events. This sanction may be enforced with a trespass action as necessary. Students that are expelled for disciplinary reasons are not entitled to any refund of tuition or housing fees.
14. *Housing Expulsion* - Permanent removal of the student from student housing. The sanction will most likely result in a permanent ban from all student housing properties. Students dismissed from student housing for disciplinary reasons are not entitled to any refund of housing fees.
15. *Academic Removal* - Removal of student from an academic course ("W" grade shown on transcript).
16. *Confiscation of Prohibited Property* – Confiscation of illegal or prohibited items for specified period of time. Any controlled substances, including alcohol, will be discarded or turned over to law enforcement.

### Step 4: Seeking an Appeal

- Within five (5) business days of the date of the Decision, the respondent may request an appeal, in writing, on the following basis:
- To consider new evidence, unavailable or not considered during the original investigation which may substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included with the appeal request.
- A procedural or substantive error occurred that significantly impacted the outcome of the Decision. The specific error(s) alleged to have occurred must be identified in the appeal request.
- The sanctions imposed are substantially outside the guidelines set by the College for this type of offense or the cumulative conduct record of the responding student.
- Written appeals based on new evidence should be submitted to the Chief Student Services Officer.
- Written appeals based on procedural error or disproportionate sanctions should be submitted to the Chief Academic Officer
- If an appeal is not timely or warranted under these procedures, the Decision will be final.

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### Appeal Based on New Evidence

Upon receipt of an appeal based on new evidence, the Chief Student Services Officer, or designee, shall:

- Notify the complainant or respondent when appropriate under the law.
- Review the appeal to determine if the appeal is warranted.
- Notify the appellant, in writing, whether the appeal is granted or denied and the basis for that decision.
- If an appeal is warranted, review all new evidence submitted to determine if it substantially impacts the findings or sanctions in the original Decision.
- If not, notify the appellant, in writing, that for this reason, the Decision is affirmed.
- If the new evidence substantially impacts a finding or sanction, conduct further investigation if necessary.
- Notify the appellant, in writing, whether the Decision is affirmed, reversed, or modified.

### Appeals Based on Procedural Error or Disproportionate Sanctions

Upon receipt of an appeal based on procedural error or disproportionate sanctions, the Chief Academic Officer, or designee, shall:

- Notify the complainant or respondent when appropriate under the law.
- Review the appeal to determine if the appeal is warranted.
- Notify the appellant, in writing, whether the appeal is granted or denied and the basis for that decision.
- If an appeal is warranted, convene an Appeals Panel.

### **Step 5: Appeal**

If an appeal is warranted, the appeal process shall commence within fifteen (15) business days after the written appeal request is received by the Chief Student Services Officer or Chief Academic Officer.

*See Appeals Panel Guiding principles for further details.*

### **Step 6: Notification of Appeal Outcomes**

- The decision of the Chief Student Services Officer (for appeals on the basis of new evidence) or Appeals Panel (for appeals on the basis of a procedural error or disproportionate sanctions) is final.
- Within two (2) business days following a decision by the Chief Student Services Officer or Appeals Panel, the Chief Student Services Officer shall notify the appellant, in writing, of the decision and implement any issued sanctions.

Note: Decisions with respect to disciplinary matters will be treated as confidential student records subject to the Family Educational Rights and Privacy Act.



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### Parental Notification

The College reserves the right to notify parents/guardians of dependent\* students of violations of the Code and may do so for drug and alcohol violations. The College may also notify parents/guardians of all students who are under the age of 21 of drug and alcohol violations. (\*A dependent is defined by FERPA as a student who is dependent for tax purposes.)

### Misconduct and Possible Sanctions

The table below sets forth the general range of sanctions for student misconduct. Students should note that the College reserves the right to issue additional and/or different sanctions should individual circumstances warrant. In doing so, the College may consider factors including, but not limited to, prior violations, severity of conduct, effect of conduct on other students and staff, number of individuals affected, and opportunity for education, resolution, and restorative justice.

<b>Behavioral Misconduct</b>	<b>Possible Sanctions</b>
Abusive Acts	Written reprimand, Corrective action, Educational program, Probation, Housing probation, No contact directive, Disciplinary suspension, Housing suspension, expulsion, Housing expulsion
Bullying and cyberbullying	Verbal reprimand, Written reprimand, Educational program, Corrective action, Probation, Housing probation, Disciplinary suspension, Housing suspension, Expulsion, Housing expulsion
Damage to Property	Corrective action, Probation, Housing probation, Restitution/Compensation, Loss of privileges/access
Disruptive Behavior	Verbal reprimand, Written reprimand, Corrective action, Probation, Housing probation
Noncompliance with Policies and Procedures	Verbal reprimand, Written reprimand, Corrective action, Educational program, Loss of privileges/access, Probation, Housing probation
Harassment	Educational program, Probation, No Contact Directive, Housing Probation, Disciplinary suspension, Housing suspension, Expulsion, Housing expulsion
Hazing	Written reprimand, Corrective action, Educational program, Probation, Housing probation, No contact directive, Disciplinary suspension, Housing suspension, expulsion, Housing expulsion
Sexual Harassment	Educational program, Probation, No Contact Directive, Housing Probation, Disciplinary suspension, Housing suspension, Expulsion, Housing expulsion
Sexual Misconduct	No Contact Directive, Expulsion, Housing Expulsion

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Substance abuse - first offense	Written reprimand, Educational program, Probation, Housing Probation, Confiscation of prohibited property
Substance abuse - repeat offense	Educational program, Probation, Housing probation, Mandated housing reassignment, Disciplinary suspension, Housing suspension, Confiscation of prohibited property, Expulsion, Housing Expulsion
Theft	Probation, Housing probation, Restitution/Compensation, Loss of privileges/access, Disciplinary suspension, Housing suspension
Use of Prohibited Items	Verbal reprimand, Written reprimand, Restitution/Compensation, Loss of privileges/access, Probation, Housing probation
Weapons	Housing suspension, Housing expulsion, Confiscation of prohibited property, Probation, Housing probation, Suspension, Housing suspension, Expulsion, Housing expulsion, Confiscation of prohibited property

NOTE: The outcome of a campus appeal is part of the education record and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. When a student is accused of a policy violation that would constitute a “crime of violence” or forcible or non-forcible sex offense, Southwest Tech will inform the reporting party bringing the complaint in writing of the final results of the Appeal Panel of whether Southwest Tech concludes the responding party was responsible or not responsible. If the responding party is found responsible, the college can share the information with anyone at the discretion of the college. Such release of information may include the alleged student’s/responding student’s name, the violation committed, and the sanctions assigned. In cases of sexual misconduct and other offenses covered by Title IX, only, the rationale for the outcome will also be shared with all parties to the complaint in addition the findings and sanctions. Crimes of Violence include:

- Murder
- Non-negligent Manslaughter
- Manslaughter by Negligence
- Sexual assault: rape, fondling, incest, statutory rape, stalking
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/damage/vandalism of property

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### **Employee Conduct**

Employee conduct follows the processes outlined in the Employee Handbook. If an employee's performance, work habits, overall attitude, conduct, or demeanor becomes unsatisfactory in the judgment of the College, based on violations either of the above or of any other College policies, rules, or regulations, he or she will be subject to disciplinary action, up to and including termination of employment. The severity of the discipline shall be determined by the College, in its sole discretion and in accordance with its disciplinary procedures.

The Employee Handbook outlines guidelines for appropriate conduct. The following is an excerpt from the Employee Handbook.

As an integral member of the College team, each employee is expected to accept certain responsibilities, to adhere to acceptable business principles in matters of personal conduct, and to exhibit a high degree of personal integrity. Whether on or off duty, employee conduct reflects on the College. Employees are encouraged to observe the highest standards of professionalism and ethics. Types of behavior and conduct that the College considers inappropriate include but are not limited to the following:

1. Acting dishonestly in any way, including falsifying a job application or other records
2. Violating the College's Harassment and Nondiscrimination Policies
3. Being absent or tardy excessively or leaving work early without permission
4. Reporting to work under the influence of non-prescribed drugs or alcohol
5. Manufacturing, possessing, using, selling, distributing, or transporting drugs illegally
6. Possessing or using alcoholic beverages on or off College property while engaged in College business, except where authorized
7. Fighting or using obscene, abusive, or threatening language or gestures.  
Note: The College recognizes that some programs will be required to use inappropriate language for training purposes, and such language will not be considered inappropriate in that setting.
8. Stealing from the College or from coworkers, customers, or students.
9. Engaging in excessive, unnecessary, or unauthorized use of the College's equipment or supplies, particularly for personal purposes.
10. Having unauthorized firearms on the College premises or while on College business.
11. Disregarding safety or security regulations.
12. Failure to comply with social distancing, personal hygiene and sanitation guidelines related to public health emergencies
13. Using a camera or other photographic, video graphic, or tape-recording equipment inappropriately.
14. Loitering or sleeping during work hours.
15. Responding to supervisors with insubordination.
16. Failing to adhere to FERPA regulations and maintaining the confidentiality of the College, customer, or client information.
17. Destroying, defacing, or using College property or the property of others

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- improperly or without authorization.
18. Acting in a way that is intentionally negligent or careless so as to endanger the employee's safety and the safety of others, damage property, or harm the College.
  19. Gambling or other illegal activities at work.
  20. Failing to report accidents or injuries in a timely manner.
  21. Performing poorly.
  22. Failing to cooperate in legitimate College investigations.
  23. Violating or encouraging/assigning another employee to violate any policy set forth in this Handbook.
  24. Violating confidential or proprietary information.
  25. Communicating in an inappropriate, disparaging manner in any form with regard to the College, coworkers, customers, or students

The Employee Discipline policy states,

Discipline may take the form of a verbal warning, written warning, suspension (with or without pay), disciplinary demotion, or termination, depending upon the circumstances. The severity of the discipline shall be determined by the College in its sole discretion and in accordance with its Disciplinary Procedures. The supervisor, in consultation with Human Resources, may place an employee on a performance improvement plan. The employee must demonstrate a willingness and ability to meet and maintain the conduct and work requirements as specified in the PIP. When warranted, an employee may be suspended (with or without pay), during an investigation of an alleged violation.

## 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.

## Reportable Crimes under the Clery Act - 34 CFR 668.46(c) Criminal Offenses

- **Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.
- **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Rape:** 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.
- **Fondling—**The touching of the private body parts of another person for the

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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.

- **Incest**—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape**—Sexual intercourse with a person who is under the statutory age of consent.
- **Robbery**: the taking or attempting to take anything from value of the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault**: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.
- **Burglary**: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- **Motor Vehicle Theft**: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding.)
- **Arson**: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

## Hate Crimes

Hate crimes are reported according to the category of prejudice. A crime is a hate crime when it manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Categories of bias include:

- **National Origin Bias**: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, or because they are married to or associate with people of a certain national origin.
  - **Race Bias**: A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, Blacks or African Americans, Whites)

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- **Religious Bias:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists)
- **Ethnicity Bias:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry
- **Gender Identity Bias:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals
  - **Disability Bias:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness
  - **Sexual Orientation Bias:** A preformed negative opinion or attitude toward a person or a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals
  - **Gender Bias:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender, e.g., male or female

The following primary crimes may have been motivated by the offender's bias:

- Murder/Non-Negligent Manslaughter
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- **Larceny-Theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

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- **Destruction, Damage or Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

If a hate crime occurs where there is an incident involving larceny-theft, simple assault, intimidation, destruction, damage or vandalism of property, and other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. A bias-related (hate) crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of their bias against the victim's race, sexual orientation, etc., the assault is then also classified as a hate crime.

## Arrests and Referrals for Disciplinary Action

- **Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.
- **Drug Law Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Liquor Law Violations:** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

## Sexual Assault

- **Sexual Offenses** - Any sexual act directed against another person without the consent of the victim, including where the victim is incapable of giving consent.
- **Rape** - 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.
- **Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including where the victim is

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incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

- **Incest** - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - Sexual intercourse with a person who is under the statutory age of consent.
- 

## Violence Against Women Reauthorization Act of 2013 (VAWA)

- **Dating Violence** - Violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: length of the relationship, type of relationship, and frequency of interaction between the persons involved in the relationship.
- **Domestic Violence** - Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **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. *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.
- *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.
- 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.

## 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, Southwest Tech 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.



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

Below are the procedures Southwest Tech will follow in assisting victims.

### **Incident Being Reported – Sexual Assault**

#### **Procedure Institution Will Follow:**

1. Depending on when reported (immediate vs delayed report), Southwest Tech will provide complainant with access to medical care.
2. Southwest Tech will assess immediate safety needs of complainant.
3. Southwest Tech will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department.
4. Southwest Tech will provide complainant with referrals to on- and off-campus mental health providers.
5. Southwest Tech will assess need to implement interim or long-term protective measures, if appropriate.
6. Southwest Tech will provide the victim with a written explanation of the victim's rights and options.
7. Southwest Tech will provide a "No Trespass" directive to accused party if deemed appropriate.
8. Southwest Tech will provide written instructions on how to apply for a Protective Order
9. Southwest Tech 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.
10. Southwest Tech 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.
11. Southwest Tech 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.

### **Incident Being Reported – Stalking**

#### **Procedure Institution Will Follow:**

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1. Southwest Tech will assess immediate safety needs of complainant.
2. Southwest Tech will assist complainant with contacting local police if complainant requests and provide the complainant with contact information for local police department.
3. Southwest Tech will provide written instructions on how to apply for Protective Order
4. Southwest Tech will provide written information to complainant on how to preserve evidence.
5. Southwest Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Southwest Tech will provide the victim with a written explanation of the victim's rights and options.
7. Southwest Tech will provide a "No Trespass" directive to accused party if deemed appropriate.

### **Incident Being Reported – Dating Violence**

#### **Procedure Institution Will Follow:**

1. Southwest Tech will assess immediate safety needs of complainant.
2. Southwest Tech will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department.
3. Southwest Tech will provide written instructions on how to apply for Protective Order
4. Southwest Tech will provide written information to complainant on how to preserve evidence.
5. Southwest Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Southwest Tech will provide the victim with a written explanation of the victim's rights and options.
7. Southwest Tech will provide a "No Trespass" directive to accused party if deemed appropriate.

### **Incident Being Reported – Domestic Violence**

#### **Procedure Institution Will Follow:**

1. Southwest Tech will assess immediate safety needs of complainant.
2. Southwest Tech will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department.
3. Southwest Tech will provide written instructions on how to apply for Protective Order
4. Southwest Tech will provide written information to complainant on how to preserve evidence.
5. Southwest Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Southwest Tech will provide the victim with a written explanation of the victim's rights

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and options.

7. Southwest Tech will provide a “No Trespass” directive to accused party if deemed appropriate.

### Key Concepts and Definitions Central to All Forms of Sexual Misconduct

Southwest Tech does not presume a student or employee is in violation of college policy. A conduct hearing or investigation will be held to take into account the totality of information available, from all relevant sources. The college will determine whether the Student Code of Conduct or the Employee Handbook Conduct Guidelines have been violated.

COMPLAINANT:	Complainant refers to the individual who reported the incident of alleged sexual misconduct.
RESPONDENT:	Respondent refers to the student, employee or faculty member who allegedly violated the sexual misconduct policy and/or has been charged with a violation of the policy.
CONSENT:	<p>A central concept to understanding the offenses that constitute sexual misconduct under this policy is consent. Consent is 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. Lack of mutual consent is the crucial factor in any sexual assault. Consent CANNOT be given if a person’s ability to resist or consent is impaired because of a mental or physical condition or there is incapacitation due to drugs or alcohol or if there is a significant age or perceived power differential. Providing alcohol or drugs to facilitate sexual activity is a violation of this policy. Use of alcohol or other drugs will never function to excuse behavior that violates this policy.</p> <p>A person may not consent if they are:</p> <ul style="list-style-type: none"><li>• unconscious</li><li>• frightened</li><li>• physically or psychologically pressured or forced</li><li>• intimidated</li><li>• impaired because of a psychological condition</li><li>• intoxicated by use of drugs or alcohol</li></ul> <p>Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Similarly, previous relationships or consent does not imply consent to future sexual activity.</p> <p>The requirements of this policy apply regardless of the sexual orientation of individuals engaging in sexual activity.</p>

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Sexual misconduct includes, but is not limited to, conduct prohibited in Wisconsin Statutes 940.225.

### **1. NON-CONSENSUAL SEXUAL INTERCOURSE**

The State of Wisconsin Statutes referenced above provide a comprehensive list of the behaviors that are considered non-consensual sexual intercourse.

### **2. NON-CONSENSUAL SEXUAL CONTACT**

The State of Wisconsin Statutes referenced above provide a comprehensive list of the behaviors that are considered non-consensual sexual contact.

### **3. SEXUAL EXPLOITATION**

Sexual exploitation as defined by this policy occurs when an individual takes non-consensual or abusive sexual advantage of another individual for his/her own advantage or benefit, or to benefit or advantage anyone other than the person being exploited.

Examples of sexual exploitation may include, but are not limited to:

- video or audio of a person engaged in sexually explicit conduct without the consent of that individual;
- engaging in "Peeping Tommmery," or viewing other persons engaged in intimate behavior without their consent or
- knowingly transmitting a sexually transmitted disease.

### **4. SEXUAL HARASSMENT**

Sexual harassment is defined as any unwelcome sexual advances, demands, requests for sexual favors, innuendoes or any other verbal or physical conduct of a sexual nature when:

- a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's educational or residential experience or employment; or
- b) Submission to or rejection of such conduct by an individual is used as the basis for educational, residential or employment decisions affecting such individual; or
- c) Such conduct is sufficiently severe and pervasive so as to alter the conditions of, or have the purpose or effect of substantially prostituting another individual;
- d) recording, displaying or distributing in any way photos,
- e) interfering with, an individual's academic performance or work by creating an intimidating, hostile, or offensive educational, residential or working environment.

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### **Hazing**

Southwest Wisconsin Technical College explicitly prohibits anyone from engaging in or attempting hazing conduct on property, including housing, owned, leased or controlled by the College, Foundation, or Real Estate Foundation, at any student learning environments, educational field trips, club activities, or at any College-sponsored activity wherever held. Hazing is about intentional conduct for persons wanting to be a part of an organization that causes physical or psychological injury.

The federal definition of Hazing is defined as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons), against another person or persons regardless of the willingness of such other person or persons to participate, that

- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization (any group that includes 2 plus members that are enrolled students that are formally recognized by the College, established by the College, or is a group of 2 plus members that meets for a common goal); and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the College or a College organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injuring including:
  - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
  - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - Causing, coercing, or otherwise inducing another person to perform sexual acts;
  - Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
  - Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Southwest Tech has adopted the federal definition of Hazing for all purposes related to campus safety and security. The College definition is contained in the Student Code of Conduct Policy, Employee Handbook, and in the Annual Security & Fire Safety Report.

According to 20 U.S.C. 1092(f)(6)(A)(VIII) the term student organization for purposes of reporting hazing incidents means "an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution." A summary definition of a student organization for reporting Crime Statistics to the U.S. Department of Education is where 2 or more members of a student organization are enrolled students and where the organization is registered/recognized by the

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college, is established by the college, or is unrecognized by the college.

## **Procedures Victims Should Follow if Hazing Occurs**

After an incident of hazing that could include sexual assault, the victim should consider seeking medical attention as soon as possible at (Grant Regional Medical Center, Lancaster, Wisconsin, or hospital of choice). In Wisconsin, evidence may be collected even if you chose not to make a report to law enforcement. 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 hazing incidents 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, they nevertheless should consider speaking with the Executive Director of Facilities, Safety & Security or law enforcement to preserve evidence in the event the victim decides to report the incident to law enforcement or the College at a later date to assist in proving the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

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

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement, 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 College will assist any victim with notifying law enforcement if the victim so desires.

Fennimore Police Department may also be reached directly by calling (608) 822-3215, in person at 860 Lincoln Ave, Fennimore WI. Additional information about the [Fennimore Police Department](https://fennimore.com/city-government/police-department) (<https://fennimore.com/city-government/police-department>) is available on their website.

## **Reporting Incidents of Hazing**

All members of the Southwest Tech community and all visitors are encouraged to accurately and promptly report potential criminal activity, suspicious behavior, hazing incidents, and any emergencies on campus to Safety & Security by calling 608-822-2097 or by clicking on the [Report a\(n\) Concern/Incident link](#) on the bottom of each webpage on the website.

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## **Reporting to Meet Disclosure Requirements**

Students and employees should report criminal offenses to the Safety & Security Office, 608-822-2097 or by clicking on the [Report a\(n\) Concern/Incident link](#) on the bottom of each webpage on the website for the purpose of assessing the crime for potential distribution of a timely warning notice and the annual statistical disclosure.

Members of the Southwest Tech community are encouraged to accurately and promptly report crime and emergencies to the Safety & Security Office at 608-822-2097 or by clicking on the [Report a\(n\) Concern/Incident link](#) on the bottom of each webpage on the website, including when the victim of a crime elects to, or is unable to, make such a report.

Southwest Tech does not have any non-campus locations of student organizations officially recognized by the College and does not require local police agencies to report criminal activities for this purpose. For non-campus facilities owned or controlled by the College, local police agencies do report criminal activities.

Southwest Tech's policy on Hazing is included in the Student Code of Conduct policy. A definition of Hazing has been included in the Code of Conduct policy along with the student behavioral misconduct procedure and sanctions the College will follow.

## **Student Hazing Behavioral Misconduct Procedure and Sanctions**

Any member of the College community may report a Hazing violation of the Code of Conduct. Individuals who report a violation are referred to as "complainants" and individuals alleged to have violated the code are referred to as "respondents." Reports should be made using the reporting form on the college website or reported directly to the following individuals:

### **Students Complaints**

Holly Clendenen  
Chief Student Services Officer  
College Connection – Room 480  
608-822-2362  
[hclendenen@swtc.edu](mailto:hclendenen@swtc.edu)

Reports should be sent as soon as possible following the alleged conduct to ensure timely investigation. All reports of Hazing misconduct made to other College employees will be referred to the Chief Student Services Officer or designee.

Complaints of student hazing misconduct will be addressed through the procedures set forth below. Generally, the process for addressing reports of hazing misconduct will be completed within thirty (30) business days although the College reserves the right to extend the timeline when necessary to complete an investigation.

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**Note:** When the severity of the circumstances warrants, the Chief Student Services Officer; Executive Director of Facilities, Safety, & Security; Vice President of Administrative Services; Chief Human Resources Officer; and/or President may impose upon the respondent a temporary suspension or separation from the College, including classes and College housing.

### **Step 1: Notification of Incident**

- Upon receipt of a report, the Chief Student Services Officer or designee will determine if the report alleges a violation of the Code. If so, the Chief Student Services Officer will designate assigned College officials to take the following steps:
  - Contact law enforcement, if appropriate.
  - Meet with the complainant to understand the nature of the report and offer supportive services.
  - Gather other relevant information, if necessary.
  - Report to the Chief Student Services Officer who will determine whether to initiate an informal or formal resolution process.
  - Provide written notice to the respondent and complainant of the allegations in the report and inform them whether the College will initiate a formal or informal resolution process.

### **Step 2: Notification & Investigation**

- If a formal resolution process is warranted, the Executive Director of Safety, Security and Facilities or designee will take the following steps:
  - Conduct a thorough investigation which includes the following:
    - Interview complainant, respondent, relevant witnesses, and College officials, if appropriate.
    - Review relevant documents including: student records, disciplinary records, police reports, and audio and video recordings.
    - Review College policies and procedures.
  - After gathering all relevant information, meet with the respondent, share the information obtained, and provide respondent an opportunity to respond to the information.
  - If needed, conduct additional interviews or gather additional information.

### **Step 3: Findings & Sanctions**

- Upon completion of the investigation, the Chief Student Services Officer will review the evidence and make findings based on a preponderance of evidence standard (whether a violation is more likely than not).
- Based on the findings, the Chief Student Services Officer will determine appropriate sanctions, in conjunction with other college officials when appropriate.
- The respondent will be notified in writing, delivered by email, mail or in person, of the findings and disciplinary sanctions (Decision).
- The Chief Student Services Officer is given broad authority to determine sanctions, based on the best interest of the respondent, complainant, other individuals, and the College. Discipline may include one or more sanctions listed below. All Decisions



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regarding behavioral misconduct will be maintained by the College in accordance with state and federal law.

### Sanctions for Behavioral Misconduct

The range of outcomes, consequences, and sanctions include, but are not limited to:

- *Verbal Reprimand* – Verbal notice to the student that his/her actions are inappropriate and the individual must act more responsibly in the future.
- *Written Reprimand* - Written notice to the student that his/her actions are inappropriate and the individual must act more responsibly in the future.
- *Corrective Action* – Required corrective action including, but not limited to, academic counseling, substance abuse screening, writing a letter of apology, etc.
- *Educational Program* – Enrolling in an educational program addressing the related issues. Referral to an off-campus education program may be recommended.
- *Loss of Privileges/Access* - Denial of specified privileges for a designated period of time such as a restriction from hosting visitors and/or guests in housing; prohibitions on entering a specified housing facility; restriction from College-sponsored extracurricular activities or work positions on campus; other restrictions, as approved by the Chief Student Services Officer or designee.
- *Restitution/Compensation*. Monetary penalties for loss, damage, or injury.
- *No Contact Directive*. Directive to avoid all contact with complainant or other individual including via in-person, email, cellphone, social media, or other electronic medium.
- *Mandated Housing Reassignment* – Immediate relocation of the respondent to another housing residence.
- *Probation* - Probation for a designated period of time. Additional disciplinary sanctions will be imposed if the student engages in behavioral misconduct during the probationary period.
- *Housing Probation* - Housing probation for a designated period of time. Additional disciplinary sanctions will be imposed if the student engages in behavioral misconduct during the probationary period.
- *Disciplinary Suspension* - Suspension results in separation from the College for a specific minimum period of time, after which the respondent is eligible to return, usually after meeting certain conditions. During the suspension period, the student is banned from property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, including student housing and is banned from school-sponsored events and activities. The sanction may be enforced with a trespass action as necessary. Students suspended for disciplinary reasons are not entitled to any refund of tuition or housing fees.
- *Housing Suspension* - Separation from the student housing area for a specific period of time, after which the student may be eligible to return. During the suspension period, the student is banned from student housing. The sanction may be enforced with a trespass action as necessary. Students suspended for disciplinary reasons are not entitled to any refund of housing fees.

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- *Expulsion* - A permanent separation from the College. The student is banned from property owned, leased, or controlled by the College, Foundation or Real Estate Foundation, including student housing, and at College-sponsored events. This sanction may be enforced with a trespass action as necessary. Students that are expelled for disciplinary reasons are not entitled to any refund of tuition or housing fees.
- *Housing Expulsion* - Permanent removal of the student from student housing. The sanction will most likely result in a permanent ban from all student housing properties. Students dismissed from student housing for disciplinary reasons are not entitled to any refund of housing fees.
- *Academic Removal* - Removal of student from an academic course ("W" grade shown on transcript).
- *Confiscation of Prohibited Property* – Confiscation of illegal or prohibited items for specified period of time. Any controlled substances, including alcohol, will be discarded or turned over to law enforcement.

### Step 4: Seeking an Appeal

- Within five (5) business days of the date of the Decision, the respondent may request an appeal, in writing, on the following basis:
- To consider new evidence, unavailable or not considered during the original investigation which may substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included with the appeal request.
- A procedural or substantive error occurred that significantly impacted the outcome of the Decision. The specific error(s) alleged to have occurred must be identified in the appeal request.
- The sanctions imposed are substantially outside the guidelines set by the College for this type of offense or the cumulative conduct record of the responding student.
- Written appeals based on new evidence should be submitted to the Chief Student Services Officer.
- Written appeals based on procedural error or disproportionate sanctions should be submitted to the Chief Academic Officer
- If an appeal is not timely or warranted under these procedures, the Decision will be final.

### Appeal Based on New Evidence

Upon receipt of an appeal based on new evidence, the Chief Student Services Officer, or designee, shall:

- Notify the complainant or respondent when appropriate under the law.
- Review the appeal to determine if the appeal is warranted.
- Notify the appellant, in writing, whether the appeal is granted or denied and the basis for that decision.
- If an appeal is warranted, review all new evidence submitted to determine if it substantially impacts the findings or sanctions in the original Decision.

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- If not, notify the appellant, in writing, that for this reason, the Decision is affirmed.
- If the new evidence substantially impacts a finding or sanction, conduct further investigation if necessary.
- Notify the appellant, in writing, whether the Decision is affirmed, reversed, or modified.

### Appeals Based on Procedural Error or Disproportionate Sanctions

Upon receipt of an appeal based on procedural error or disproportionate sanctions, the Chief Academic Officer, or designee, shall:

- Notify the complainant or respondent when appropriate under the law.
- Review the appeal to determine if the appeal is warranted.
- Notify the appellant, in writing, whether the appeal is granted or denied and the basis for that decision.
- If an appeal is warranted, convene an Appeals Panel.

### **Step 5: Appeal**

If an appeal is warranted, the appeal process shall commence within fifteen (15) business days after the written appeal request is received by the Chief Student Services Officer or Chief Academic Officer.

*See Appeals Panel Guiding principles for further details.*

### **Step 6: Notification of Appeal Outcomes**

- The decision of the Chief Student Services Officer (for appeals on the basis of new evidence) or Appeals Panel (for appeals on the basis of a procedural error or disproportionate sanctions) is final.
- Within two (2) business days following a decision by the Chief Student Services Officer or Appeals Panel, the Chief Student Services Officer shall notify the appellant, in writing, of the decision and implement any issued sanctions.

Note: Decisions with respect to disciplinary matters will be treated as confidential student records subject to the Family Educational Rights and Privacy Act.

The sanctions stated in the Student Code of Conduct policy for Hazing include written reprimand, corrective action, attend an educational program, probation, housing probation, a no-contact directive, disciplinary suspension, housing suspension, expulsion, or housing expulsion.

### **Parental Notification**

The College reserves the right to notify parents/guardians of dependent\* students of violations of the Code and may do so for drug and alcohol violations. The College may also notify parents/guardians of all students who are under the age of 21 of drug and alcohol violations. (\*A dependent is defined by FERPA as a student who is dependent for tax purposes.)

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## **Student Confidentiality**

Personally identifiable information related to hazing 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. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the daily crime log, annual crime statistics, and on the Campus Transparency Hazing Report that are disclosed in compliance with the *Jeanne Clery Campus Safety Act*. Furthermore, if a Timely Warning Notice is issued, the name of the involved parties will be withheld.

## **Employee Hazing Behavioral Misconduct Procedure and Sanctions**

Any member of the College community may report a Hazing violation by an employee. Reports should be made using the reporting form on the college website or reported directly to the employee's supervisor or the following individual:

### **Employee Complaints**

Krista Weber, Chief Human Resources Officer  
Kramer Building (Bldg. 300) – Room 320  
608-822-2315  
[kweber@swtc.edu](mailto:kweber@swtc.edu)

Complaints of employee hazing misconduct will be addressed through the procedures set forth below.

## **Workplace Violence, Bullying, and Hazing Policy in Employee Handbook**

The College expressly prohibits any acts or threats of violence by any person in or about the College facilities or elsewhere at any time. The College also will not condone any acts or threats of violence against the students, employees, customers, or visitors who are on the College premises at any time or while they are working, either on or off the College premises. The College will not tolerate hazing behavior by any employee.

In keeping with the spirit and intent of this policy and to ensure that the objectives of the College in this regard are attained, the College is committed to the following:

- Provide a safe and healthy work environment in accordance with the College's Values.
- Take prompt action, up to and including termination, against any employee who engages in any threatening behavior or acts of violence, including hazing, or who uses any obscene, abusive, or threatening language or gestures.

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- Take appropriate action when dealing with any individual who engages in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
- Prohibit students, employees, former employees, customers, and visitors from bringing unauthorized firearms or other weapons onto the College premises.
- Establish viable security measures to ensure the College facilities are safe and secure to the maximum extent possible and to properly handle access to College facilities by the public, off-duty employees, and former employees.

Employees have a duty to warn their supervisors, campus administrators, security personnel, or human resource representatives of any suspicious workplace activity or situations or incidents they observe or they are aware of, whether they involve other employees, students, former employees, vendors, or visitors. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, hazing, and bullying.

Hazing as defined by the college is any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons), against another person or persons regardless of the willingness of such other person or persons to participate, that

- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization (any group that includes 2 plus members that are enrolled students that are formally recognized by the College, established by the College, or is a group of 2 plus members that meets for a common goal); and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the College or a College organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injuring including:
  - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
  - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - Causing, coercing, or otherwise inducing another person to perform sexual acts;
  - Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
  - Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

The College defines bullying as "inappropriate behavior," either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Hazing and bullying behaviors violate the College's Core Values, which convey that all individuals will be treated with dignity and respect.

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Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. The College will not condone any form of retaliation against any employee for making a report or participating in an investigation under this policy.

### **Complaint and Investigation Process**

- **Filing a Complaint:** Employees who believe they have experienced or witnessed workplace violence, threats, hazing, or bullying should promptly report the matter to their supervisor, Human Resources, or campus security. Completing a report a concern or complaint form on the Southwest Tech website is recommended. If the concern involves a supervisor, employees may go directly to Human Resources.
- **Acknowledgment of Report:** Human Resources will acknowledge receipt of the complaint and ensure the employee understands next steps in the process.
- **Initial Review:** Reports will be reviewed to determine whether immediate safety measures are required (e.g., suspension of the alleged offender, security intervention).
- **Investigation:** A fair and impartial investigation will be conducted, which may include interviews with the complainant, the accused, and witnesses, as well as a review of relevant documents, electronic communications, or other evidence.
- **Findings and Action:** Following the investigation, Human Resources (in consultation with appropriate administrators) will determine whether a policy violation occurred and recommend appropriate corrective or disciplinary action, up to and including termination.
- **Confidentiality:** All investigations will be handled as confidentially as possible, with information shared only on a need-to-know basis.
- **Non-Retaliation:** Retaliation against anyone who makes a good-faith report or participates in an investigation is strictly prohibited and will itself be treated as a violation of this policy.

### **Employee Discipline**

Discipline may take the form of a verbal warning, written warning, suspension (with or without pay), disciplinary demotion, or termination, depending upon the circumstances. The severity of the discipline shall be determined by the College in its sole discretion and in accordance with its Disciplinary Procedures.

The supervisor, in consultation with Human Resources, may place an employee on a performance improvement plan (PIP). The employee must demonstrate a willingness and ability to meet and maintain the conduct and work requirements as specified in the PIP and failure to do so could result in disciplinary action up to and including termination.

When warranted, an employee may be suspended (with or without pay), during an investigation of an alleged violation.

### **Local, State & Tribal Laws on Hazing**

Southwest Wisconsin Technical College is located in the City of Fennimore, Wisconsin. There are no local laws related to the specific topic of hazing. Local law enforcement use the State of Wisconsin law. Southwest Tech has no federally recognized tribes located within the district boundaries, and no tribal lands or tribal laws apply within the jurisdiction of the

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institution.

In the State of Wisconsin, hazing falls under State Statute 948.51. The Statute states:

- (1) In this section “forced activity” means any activity which is a condition of initiation or admission into or affiliation with an organization, regardless of a student’s willingness to participate in the activity.
- (2) No person may intentionally or recklessly engage in acts which endanger the physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating in connection with a school, college or university. Under those circumstances, prohibited acts may include any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug or other substance, forced confinement or any other forced activity which endangers the physical health or safety of the student.
- (3) Whoever violates sub. (2) is guilty of:
  - (a) A Class A misdemeanor if the act results in or is likely to result in bodily harm to another.
  - (b) A Class H felony if the act results in great bodily harm to another.
  - (c) A Class G felony if the act results in the death of another.

## **Hazing Prevention & Educational Programming**

Southwest Tech provides an environment that is conducive to valuing people, providing learning opportunities for students, and helping students achieve success. Hazing in any form will not be tolerated. Educational and awareness campaigns and training are important to providing the environment the College values.

Students will engage in a virtual training on hazing prevention and awareness. The presentations will be provided to students each semester. The presentation includes the Student Code of Conduct Policy, which includes definition of and sanctions for hazing and the process used to investigate incidents of hazing, hazing statistics, non-tolerated behaviors, bystander intervention, and the reporting tools used to notify campus authorities and local law enforcement of hazing behavior.

All employees will be trained on Hazing Prevention & Awareness through a virtual presentation at time of hire and annually. The presentation includes education on the Employee’s Handbook hazing policy, hazing statistics, non-tolerated behaviors, bystander intervention, and the reporting tools used to notify campus authorities of hazing behavior.

## **Campus Hazing Transparency Report**

The College is required to maintain a Campus Hazing Transparency Report (CHTR, Transparency Report) on its website. The Transparency Report will be developed by December 23, 2025, and will be published in a prominent location on the College’s website. The webpage where the report will be housed will include The CHTR will be updated at a minimum of twice each year. The Crime Statistics for Hazing will be published in the 2026 Annual Campus Security and Fire Safety Report.

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For purposes of the Campus Hazing Transparency Report a student organization is defined as where 2 or more members of a student organization are enrolled students and where the organization is registered/recognized by the college or is established by the college. To count a person as a student, the student must be enrolled in one credit or more in a term.

The difference between the Campus Hazing Transparency Report and the reporting of hazing incidents to be included in the Crime Statistics of the Annual Security and Fire Safety report is that in the Crime Statistics data for unrecognized student organizations will be included. Summary differences of the Stop Campus Hazing Act Disclosure requirements – Campus Hazing Transparency Report and the Annual Security Report required policy statements and crime statistics follow:

<b>Requirements</b>	<b>Crime Statistics and Policy Statement Disclosures</b>	<b>Campus Hazing Transparency Report (CHTR)</b>
<b>What</b>	Include Hazing incidents meeting the Federal definition reported to a Campus Security Authority or Local Law Enforcement	Include Hazing Incidents reported to a Campus Security Authority that result in a finding violating the institution's Hazing policy
<b>By Whom</b>	Registered, recognized, established or unrecognized student organizations	Registered, recognized, or established student organizations
<b>Geography</b>	Clery Geography	Any location the institution's Hazing policy has jurisdiction
<b>How to Count</b>	Distinct Incident Count	Organizations found responsible count based on distinct investigations (could involve multiple separate incidents in a single report)
<b>Special Reporting Considerations</b>	Not subject to hierarchy rule. Therefore, count other co-occurring Clery crimes.	Not required to develop until there is a finding of Hazing
<b>Where Disclosed</b>	Annual Security Report and to the Department of Education via the CSSDACT	Detailed report located prominently on college website
<b>Policy Disclosures</b>	Statement of current policies related to Hazing and prevention and awareness programs	<ul style="list-style-type: none"> <li>• Statement notifying public of annual availability of hazing statistics</li> <li>• Information related to institutional policies related to hazing</li> <li>• Applicable local, state &amp; tribal laws on hazing</li> </ul>

The Transparency Report will include the name of the organization, general description of the



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violation, whether hazing involved the abuse or illegal use of alcohol or drugs; key dates - including date of incident, the start and end dates of investigation, and the date the student organization was notified of the outcome; findings (rationale) for the determination of responsibility; and the sanctions imposed on the student organization.

### Campus Crime Statistics

The Executive Director of Facilities, Safety & Security and the Compliance Officer (both are Clery Compliance Officers) collaborate on assigning the crimes to the annual disclosure of crime statistics. The crimes are gathered from a student behavior data system, law enforcement agencies for non-campus locations owned or controlled by the college, and from Human Resources. Sixty-two percent (62%) of law enforcement responded to the requests for crime statistics for locations the college held classes.

### Student Right to Know and Campus Security Act Statistical Report for Period: 2022-2024

*\*Residential Facility crime statistics are a subset of the On Campus Category, i.e., they are counted in both categories.*

*\*\*The 2022 Crime Statistics were initially reported in the 2023 Annual Security & Fire Safety Report as not occurring in residential facilities. Those crime statistics have been updated to accurately reflect the number of crimes that occurred in residential facilities.*

*\*\*\*There has been a correction made to the 2022 statistics for Weapons Violation Referrals for Disciplinary Action. This change in the crime statistics was made on 9/27/24 when reviewing the crime statistics for previous years.*

Primary Crimes	On Campus	Non-campus	Public Property	Total	Residential Facilities*	Unfounded Crimes
Murder/Non- Negligent Manslaughter 2024	0	0	0	0	0	0
Murder/Non- Negligent Manslaughter 2023	0	0	0	0	0	0
Murder/Non- Negligent Manslaughter 2022	0	0	0	0	0	0
Manslaughter by Negligence 2024	0	0	0	0	0	0
Manslaughter by Negligence 2023	0	0	0	0	0	0
Manslaughter by Negligence 2022	0	0	0	0	0	0
Rape 2024	0	0	0	0	0	0
Rape 2023	1	0	0	1	1	0
Rape 2022 **	1	0	0	1	1	0
Fondling 2024	0	1	0	1	0	0
Fondling 2023	0	0	0	0	0	0
Fondling 2022	0	0	0	0	0	0
Incest 2024	0	0	0	0	0	0

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Primary Crimes	On Campus	Non-campus	Public Property	Total	Residential Facilities*	Unfounded Crimes
Incest 2023	0	0	0	0	0	0
Incest 2022	0	0	0	0	0	0
Statutory Rape 2024	0	0	0	0	0	0
Statutory Rape 2023	0	0	0	0	0	0
Statutory Rape 2022	0	0	0	0	0	0
Robbery 2024	0	0	0	0	0	0
Robbery 2023	0	0	0	0	0	0
Robbery 2022	0	0	0	0	0	0
Aggravated Assault 2024	0	0	0	0	0	0
Aggravated Assault 2023	0	0	0	0	0	0
Aggravated Assault 2022	0	0	0	0	0	0
Burglary 2024	0	0	0	0	0	0
Burglary 2023	0	0	0	0	0	0
Burglary 2022	0	0	0	0	0	0
Motor Vehicle Theft 2024	0	0	0	0	0	0
Motor Vehicle Theft 2023	0	0	0	0	0	0
Motor Vehicle Theft 2022	0	0	0	0	0	0
Arson 2024	0	0	0	0	0	0
Arson 2023	0	0	0	0	0	0
Arson 2022	0	0	0	0	0	0

Arrests and Referrals for Disciplinary Action	On Campus	Non-campus	Public Property	Total	Residential Facilities*
Liquor Law Violation Arrests 2024	0	0	0	0	0
Liquor Law Violation Arrests 2023	0	0	0	0	0
Liquor Law Violation Arrests 2022	0	0	0	0	0
Drug Law Violation Arrests 2024	0	0	0	0	0
Drug Law Violation Arrests 2023	1	3	0	4	0
Drug Law Violation Arrests 2022	0	0	0	0	0
Weapons Law Violation Arrests 2024	0	0	0	0	0
Weapons Law Violation Arrests 2023	0	0	0	0	0
Weapons Law Violation Arrests 2022	0	0	0	0	0

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Arrests and Referrals for Disciplinary Action	On Campus	Non-campus	Public Property	Total	Residential Facilities*
Liquor Law Violation Referrals for Disciplinary Action 2024	7	0	0	7	7
Liquor Law Violation Referrals for Disciplinary Action 2023	74	0	0	74	74
Liquor Law Violation Referrals for Disciplinary Action 2022 **	30	0	0	30	29
Drug Law Violation Referrals for Disciplinary Action 2024	2	0	0	2	1
Drug Law Violation Referrals for Disciplinary Action 2023	8	0	0	8	8
Drug Law Violation Referrals for Disciplinary Action 2022 **	3	0	0	3	2
Weapons Law Violation Referrals for Disciplinary Action 2024	0	0	0	0	0
Weapons Law Violation Referrals for Disciplinary Action 2023	2	0	0	2	2
Weapons Law Violation Referrals for Disciplinary Action 2022 **	1***	0	0	1***	0

VAWA Offenses	On Campus	Non-campus	Public Property	Total	Residential Facilities*	Unfounded Crimes
Domestic Violence 2024	0	0	0	0	0	0
Domestic Violence 2023	0	0	0	0	0	0
Domestic Violence 2022	0	0	0	0	0	0
Dating Violence 2024	0	0	0	0	0	0
Dating Violence 2023	0	0	0	0	0	0
Dating Violence 2022	0	0	0	0	0	0
Stalking 2024	0	1	0	1	0	0
Stalking 2023	1	0	0	1	1	0
Stalking 2022 **	1	0	0	1	1	0

### Unfounded Crimes

If a crime is reported as occurring on campus, in on-campus residential facilities, in or on non-campus 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."

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded. There were no unfounded crimes in 2022, 2023, or 2024.

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### Hate Crime Reporting

There were no hate crimes reported In 2022, 2023, or 2024.

### Fire Safety Systems

Southwest Tech has previously reported on the individual apartments in each building. In the 2023 report, a change has been made to only report on the building following guidance from the Help Desk and the Annual Security & Fire Safety Report guidelines.

Residential Facility	Fire Alarm Monitoring Done On-Site	Partial <sup>3</sup> Sprinkler System	Full <sup>4</sup> Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/ Placards	No. of Evacuation (fire) Drills each Calendar Year
1523-1525	No	No	No	Yes	Yes	Yes	2
1527-1529	No	No	No	Yes	Yes	Yes	2
1533-1535	No	No	No	Yes	Yes	Yes	2
1537-1539	No	No	No	Yes	Yes	Yes	2
1543-1545	No	No	No	Yes	Yes	Yes	2
1547-1549	No	No	No	Yes	Yes	Yes	2
1557-1559	No	No	No	Yes	Yes	Yes	2
1920	No	No	No	Yes	Yes	Yes	2
1930	No	No	No	Yes	Yes	Yes	2
1940	No	No	No	Yes	Yes	Yes	2
1960	No	No	No	Yes	Yes	Yes	2
1975-1985	No	No	No	Yes	Yes	Yes	2

<sup>3</sup> Partial Sprinkler System is defined as having sprinklers in the common areas only.

<sup>4</sup> Full Sprinkler system is defined as having sprinklers in both the common areas and individual rooms.

### Policies or Rules on Portable Electrical Appliances, Smoking and Open Flames

The following are prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activities (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.).

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### Fire Statistics

**Statistics and Related Information Regarding Fires in Residential Facilities for CYs 2022, 2023, and 2024**

*Previous Annual Safety & Fire Security Reports contained fires for only one year. Beginning with this 2023 report, the College will report on three years as required. In addition, Southwest Tech has previously reported on the individual apartments in each building. In the 2023 report, a change has been made to only report on the building following guidance from the Help Desk and the Annual Security & Fire Safety Report guidelines.*

Residential Facilities (Name and Address)	Total No. of Fires in Each Building	Fire Case Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
1523-1525; 1523 Brownwood Rd 2024	0	N/A	N/A	0	0	0
1523-1525; 1523 Brownwood Rd 2023	0	N/A	N/A	0	0	0
1523-1525; 1523 Brownwood Rd 2022	0	N/A	N/A	0	0	0
1527-1529; 1527 Brownwood Rd 2024	0	N/A	N/A	0	0	0
1527-1529; 1527 Brownwood Rd 2023	0	N/A	N/A	0	0	0
1527-1529; 1527 Brownwood Rd 2022	0	N/A	N/A	0	0	0
1533-1535; 1533 Brownwood Rd 2024	0	N/A	N/A	0	0	0
1533-1535; 1533 Brownwood Rd 2023	0	N/A	N/A	0	0	0
1533-1535; 1533 Brownwood Rd 2022	0	N/A	N/A	0	0	0
1537-1539; 1537 Brownwood Rd 2024	0	N/A	N/A	0	0	0
1537-1539; 1537 Brownwood Rd 2023	0	N/A	N/A	0	0	0
1537-1539; 1537 Brownwood Rd 2022	0	N/A	N/A	0	0	0

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Residential Facilities (Name and Address)	Total No. of Fires in Each Building	Fire Case Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
1543-1545; 1543 Brownwood Rd 2024	0	N/A	N/A	0	0	0
1543-1545; 1543 Brownwood Rd 2023	0	N/A	N/A	0	0	0
1543-1545; 1543 Brownwood Rd 2022	0	N/A	N/A	0	0	0
1547-1549; 1547 Brownwood Rd 2024	0	N/A	N/A	0	0	0
1547-1549; 1547 Brownwood Rd 2023	0	N/A	N/A	0	0	0
1547-1549; 1547 Brownwood Rd 2022	0	N/A	N/A	0	0	0
1557-1559; 1557 Brownwood Rd 2024	0	N/A	N/A	0	0	0
1557-1559; 1557 Brownwood Rd 2023	0	N/A	N/A	0	0	0
1557-1559; 1557 Brownwood Rd 2022	0	N/A	N/A	0	0	0
1920; 1920 Brownwood Road 2024	0	N/A	N/A	0	0	0
1920; 1920 Brownwood Road 2023	0	N/A	N/A	0	0	0
1920; 1920 Brownwood Road 2022	0	N/A	N/A	0	0	0
1930; 1930 Brownwood Road 2024	0	N/A	N/A	0	0	0
1930; 1930 Brownwood Road 2023	1	N/A	N/A	0	0	<\$100
1930; 1930 Brownwood Road 2022	0	N/A	N/A	0	0	0

# Southwest Wisconsin Technical College

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Residential Facilities (Name and Address)	Total No. of Fires in Each Building	Fire Case Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
1940; 1940 Brownwood Road 2024	0	N/A	N/A	0	0	0
1940; 1940 Brownwood Road 2023	0	N/A	N/A	0	0	0
1940; 1940 Brownwood Road 2022	0	N/A	N/A	0	0	0
1960; 1960 Brownwood Road 2024	0	N/A	N/A	0	0	0
1960; 1960 Brownwood Road 2023	0	N/A	N/A	0	0	0
1960; 1960 Brownwood Road 2022	0	N/A	N/A	0	0	0
1975-1985; 1975 Brownwood Rd 2024	0	N/A	N/A	0	0	0
1975-1985 1975 Brownwood Rd 2023	0	N/A	N/A	0	0	0
1975-1985; 1975 Brownwood Rd 2022	0	N/A	N/A	0	0	0

### Fire Safety Education and Training Programs

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the College's fire safety policies.

Everyone is also provided with maps of each on-campus student housing facility that illustrate evacuation routes and fire alarm equipment locations. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them. Fire safety education and training programs are taught by local fire authorities.

Faculty and staff are provided education on fire safety and information on how to report a fire, or evidence of a fire, to whom, and procedures to be followed for non-residential buildings on campus when a fire alarm signals. Safety and evacuation information is

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## **2025 Annual Security & Fire Safety Report**

included in the Southwest Tech Emergency Response Plan and the Southwest Tech Student Housing Emergency Response Plan. Evacuation maps are posted in every classroom, lab, and office area.

Each Southwest Tech building has fire evacuation plans posted in common areas. All employees are encouraged to become familiar with the escape routes for all buildings and floors and the locations of fire extinguishers, hoses and alarms. In the event of a fire or evacuation, every employee should follow the fire safety evacuation route and vacate the premises until the official in charge (Incident Commander) declares the premises safe to enter. Exits and areas around fire extinguishers must be kept clear at all times. Monthly fire safety inspections and drills are held to test equipment and procedures. By the Security Coordinator, the Facilities Manager, the Plumbing, Heating & Refrigeration Specialist, the Maintenance Carpenter, and the Maintenance Day Crew.

### **Procedures Students and Employees Should Follow in Case of a Fire**

#### **Procedure for Student Housing**

The Student Housing Emergency Response Plan contains students and employees should follow in case of a fire are reviewed and include the following:

### **Fire or Explosion-** Fire Drills will be conducted each semester.

In situations when a fire or explosion occurs, the primary concern is the welfare and safety of tenants and guests. Tenants should carefully assess the circumstances and use their best judgment when responding to the situation. No one should unnecessarily and unreasonably place themselves or others in jeopardy. Anytime the fire alarm sounds, all tenants and guests should be evacuated immediately. The following procedures shall serve as guidelines for staff responding in a fire or explosion emergency.

**During evacuation, please be aware of tenants or guests with special needs or disabilities to assure their safety as well.**

#### ***Immediate Action for Reporting a Fire***

- If you live in the 6-plex or 8-plex pull the fire alarm.
- When a fire is discovered, regardless of the severity **Call 911 from a safe location to report the fire.**
- If it is safe to do so, and you are properly trained in its use, use the nearest fire extinguisher to control the fire until the fire department arrives on the scene.



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### ***Action When Alarm/Smoke Detector Sounds***

- Tenants and guests should use the fastest and clear emergency exit route to evacuate the building. Move a minimum of 500 feet from the building. **Remain calm - DO NOT panic.**
- If it is safe to do so and you do not live in a building with fire alarms, alert the tenants in your building to evacuate immediately.
- If it is safe to do so, close all doors and windows, turn-off lights, and shut-off electrical and gas operated equipment when leaving the area.
- When area is evacuated the last person out will place a **RED** evacuated tag on door.
- If it is safe to do so, RAs should conduct a quick walk-through inspection of common spaces to ensure that all persons have left the building.
- The RA should proceed out of the building and ensure that all persons are an adequate distance (a minimum of 500 feet) away from the building.
- Housing tenants will meet in the Ag/Auto Building 1700 Hallway (See Exhibit C)
- RA's should ensure that individuals remain outside until told to reenter the building.
- RA should contact the Resident Life Manager soon as possible

### **Evacuation for Campus Fires by All Staff, Students, and Visitors**

Southwest Tech has outlined in the Southwest Tech Emergency Response Plan the evacuation procedures to use when there is a campus fire or explosion. The plan states:

### **Fire or Explosion**

In situations when a fire or explosion occurs, the primary concern is the welfare and safety of students and staff. Staff should carefully assess the circumstances and use their best judgment when responding to the situation. No one should unnecessarily and unreasonably place themselves or their students in jeopardy. Anytime the fire alarm sounds, all students and staff should be evacuated immediately. The following procedures shall serve as guidelines for staff responding in a fire or explosion emergency.

**During evacuation please be aware of students, staff, or guests with special needs or disabilities to assure their safety as well.**

**Note: Emergency assistance can be reached by:**

**\* Dialing 911 from a district phone  
(There is no need to dial 9911.)**

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### *Immediate Action for Reporting a Fire*

- When a fire is discovered, regardless of the severity, go immediately to the nearest alarm box and pull the lever to activate the fire alarm system. **Call 911 from a safe location to report the fire.**
- If it is safe to do so, and you are properly trained in its use, use the nearest fire extinguisher to control the fire until the fire department arrives on the scene.

### *Action When Alarm Sounds*

- Faculty should evacuate students from the area using the safest emergency exit route. Move a minimum of 500 feet from the building. **DO NOT use the elevator when evacuating the building. Remain calm - DO NOT panic.**
- Once outside, faculty should check attendance immediately to determine if all students exited the building safely.
- If it is safe to do so, close all doors and windows, turn-off lights, and shut-off electrical and gas operated equipment when leaving the classroom, lab or shop.
- If it is safe to do so, the division manager should conduct a quick walk-through inspection of divisional/center spaces to ensure that all persons have left the building.
- The manager should proceed out of the building and ensure that all persons are an adequate distance (a minimum of 500 feet) away from the building.
- Managers, as well as faculty, should ensure that individuals remain outside until told to reenter the building.

## Reporting Fires

Per federal law, Southwest Tech is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if a live fire is encountered in one of campus facilities, immediately go to a safe place, then dial 911. Once the emergency has passed, notify the Safety & Security Office at 608.822.2097 to investigate and document the incident for disclosure in the college's annual fire statistics.

If a member of the Southwest Tech community finds evidence of a fire that has been extinguished, and the person is not sure whether the Safety & Security Office has already responded, the community member should immediately notify Safety & Security Office at 608.822.2097 to investigate and document the incident for disclosure in the on-campus residential annual fire statistics.

## Plans for Improvement to Fire Safety

The College does not have any planned improvements in fire safety at this time. In the 2025-26 academic year, a fire prevention education campaign will be implemented.

Facilities staff does inspections of electrical systems and appliances twice a year to look for any potential hazards and makes repairs or replaces systems and appliances, if necessary.