

## Annual Notification of Rights Under FERPA and the Directory Information Public Notice

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

- The right to inspect and review the student's educational records within 45 days from the day the college receives a request for access. You should submit written requests that identify the record(s) you wish to inspect to the Student Records office or the Registrar.
- The right to request the amendment of the student's educational records that the student believes is inaccurate or misleading. You should write to the College Registrar and clearly identify the part of the record you want changed and specify why it is inaccurate or misleading.
- The right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.
- The right to refuse to permit the college to designate disclosure of personally identifiable information about the student as directory information which is not subject to restrictions on disclosure.

The college has designated the following information about you as directory information: name, address, and telephone number, student email address, date of birth, field(s) of study, current enrollment status, dates of attendance, degrees received, most recent previous educational institution attended, honors and awards received including selection to a dean's list or honorary organization, and photos and videos of students for use in college presentations/displays, news releases, publications and websites.

If you do not wish to have your information designated as directory information and disclosed to members of the college community and to requesters from outside of the college, you must inform the Student Records office in writing. A form for Authorization to Release Non-Directory Information is also available from the Student Records office.

Under sections 99.31(a) and 99.34 of Title 34 of the Code of Federal Regulations, applying the Family Educational Rights and Privacy Act, should an LTC student seek to enroll in another college or university to complete a course or degree, LTC may share personally identifiable data with that college or university's education officials without the student's prior approval. LTC may also share personally identifiable information with college officials who have a legitimate educational interest.

Officials of the college are defined as:

- persons employed by the school in an administrative, supervisory, academic, research, or staff position;
- persons serving on school governing bodies; and
- persons employed by or under contract to the college to perform a specific task, such as an attorney or auditor.

An official has a legitimate educational interest if they need to:

- perform duties specified in their job description or under terms of contractual agreement;
- provide campus services related to a student, such as advising, financial aid, and counseling; or
- conduct tasks related to a student's education or campus discipline.

LTC maintains a record of all releases of student records. A student may request to view a copy of what was shared with the other college by contacting the Registrar at 920.693.1378.

Questions concerning FERPA may be directed to the LTC Student Records Office at 1.888.468.6582, Ext. 1888.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-8520

For more information on FERPA, please visit the website for the Department of Education at [www.ed.gov](http://www.ed.gov).

**For more detailed information on the topics in this brochure, review the LTC Catalog, Student Handbook and college policies.**



**LAKESHORE TECHNICAL COLLEGE**  
[gotoltc.edu](http://gotoltc.edu) • 1.888.GO TO LTC  
1290 North Avenue • Cleveland WI  
NCA-Accredited [ncahlc.org](http://ncahlc.org)

TTY 711 LAKESHORE TECHNICAL COLLEGE DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, DISABILITY OR AGE IN EMPLOYMENT, ADMISSIONS OR ITS PROGRAMS OR ACTIVITIES. THE CHIEF HUMAN RESOURCES OFFICER HAS BEEN DESIGNATED TO HANDLE INQUIRIES REGARDING THE COLLEGE'S NONDISCRIMINATION POLICIES.

# 2016-17

## RIGHT TO KNOW and CAMPUS SECURITY INFORMATION

Alcohol and Drug Policy

Sexual Misconduct (Title IX)

College Crime and  
Security Information

Affirmative Action Officer/  
ADA Coordinator

Annual Notification of Rights  
under FERPA

Emergency Response and Evacuation



## Sexual Misconduct (Title IX)

### What is Title IX?

When Title IX was enacted by Congress in 1972, it was known as the law that leveled the playing field for young women in athletics. Now, it is known as the law that is leveling the playing field for victims (men and women) of sexual misconduct on college campuses. Through Title IX, institutions of higher learning are tackling sexual misconduct and changing the conversation around how we respond, limit and prevent recurrences of those acts. The same institutions are also required by the Department of Education to remain in compliance with the new laws regarding the topics of sexual assault, domestic violence and stalking.

### What is Harassment?

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

Harassment on the basis of race, sex, nation origin, age, handicap, religion, sexual orientation, or other protected status is unlawful and prohibited by LTC. Harassment shall mean the use of aspersions, insults or slurs, or other verbal or physical conduct based upon an individual's membership in one of the protected classifications identified above when:

- "Quid pro quo" harassment (Latin term-"this for that") means submission to such harassment is made, either explicitly or implicitly, a term or condition of an individual's employment or educational status; or submission to or rejection of sexual harassment by an individual is used as a basis for employment or educational decisions.

- "Hostile environment" harassment (conduct) means it is sufficiently severe or pervasive and has the purpose or effect of substantially interfering with an individual's performance or creating an intimidating, hostile, abusive, or offensive environment to a "reasonable person."

### Examples of Harassment:

Types of behavior that can constitute harassing conduct include:

1. Verbal abuse or repeated demeaning gestures, slurs, or epithets; negative stereotypes; or threatening, intimidating, or hostile acts.
2. Physical contact such as patting, touching (private areas of the body), kissing, and brushing against another's body.
3. Subtle pressure for sexual activity, demands for sexual favors accompanied by implied or overt promises or threats of retention, promotion, or preferential treatment.

4. Repeatedly asking for a date, after the individual says no.

5. Written or graphic materials circulated or displayed that denigrate or show hostility or aversion toward a protected characteristic of an individual or group.

### Recognizing Discrimination/Harassment:

The inappropriate/illegal conduct may be subtle or manipulative and is not always evident or not welcome; and is personally offensive. It does not refer to occasional compliments of a socially acceptable nature. All forms of gender harassment are covered.

Men and women can be discriminated against and sexually harassed. Men can harass men and women can harass women. Offenders can be managers; supervisors; coworkers; and nonemployees such as clients, vendors, or students.

### Examples

Sexual harassment can be as subtle as a look or as blatant as rape. It can occur within and beyond the classroom and workplace. Verbal harassment may include humor or jokes about women, sex, or sexual orientation. Sexual harassment often occurs where one person has power over another but may also occur among peers.

### Other examples may include:

- (1) Physical or mental abuse;
- (2) Unwelcome sexual advances or touching;
- (3) Sexual comments, jokes, stories, or innuendoes;
- (4) Request for sexual favors used as a condition of employment or status as a student or affecting any decisions such as hiring, promotion, compensation, or termination of employee, or rating/grading of a student;
- (5) Display of sexually explicit or otherwise offensive posters, calendars, or materials;
- (6) Referring to a student or employee as "girl, hunk, doll, babe, honey," etc.
- (7) Making sexual gestures with hands or body movements.
- (8) Intentionally standing close or brushing up against a student or employee;
- (9) Inappropriately staring at a student or employee or touching his or her clothing, hair, or body;
- (10) Whistling/cat calls at a student or employee;
- (11) Asking personal questions about a student or employee's sexual life.
- (12) Repeatedly asking out an employee or student who has stated that he or she is not interested;
- (13) Looking an employee or student up and down (elevator eyes).

It is all too common for someone accused of sexual harassment to say, "I didn't realize that she/he would be offended by that." All members of the college community should become more

knowledgeable about sexual harassment and be sensitive to the impact of their behavior on others. Members of the college community who supervise others have a special responsibility in this regard. They must help create an environment that actively discourages behavior that could be viewed as sexual harassment.

Everyone is encouraged to speak out when they see, hear of, or experience incidents of sexual harassment. If you feel that you may be the victim of sexual harassment, talk to someone you trust about the situation. You may feel embarrassed or worry that you did something to provoke the unwanted behavior, but you have a right to pursue your education or perform your job in an environment free from this type of interference.

Information requests, questions, concerns, and complaints should be directed to the Affirmative Action Officer on the Cleveland campus, phone 1.888.468.6582, Extension 1163.

### Sexual Assault

It is a criminal offense for a person to engage in sexual contact or sexual intercourse with any other person without their consent. Sexual contact is the intentional touching of a person's intimate parts for the purpose of sexually degrading or humiliating the victim, or sexually arousing or gratifying the perpetrator. Penalties for one convicted of this offense range from a fine of up to \$10,000 and imprisonment for up to nine months to up to 20 years imprisonment.

### "Sexual contact" means any of the following:

1. Intentional touching by the complainant or defendant, either directly or through clothing, by the use of any body part or object of the complainant's or defendant's intimate parts 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).

2. Intentional penile ejaculation or intentional emission of urine or feces by the defendant 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.

"Sexual intercourse" includes the meaning assigned under s.939.22(36) 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.

Penalties: Penalties for a sexual assault offense conviction range from a fine of up to \$10,000 and imprisonment from 9 months to 20 years depending upon the seriousness of the offense.



## Why This Information?

Lakeshore Technical College is an equal opportunity employer/educator functioning under an affirmative action plan. LTC is committed to its legal, social, and economic responsibilities in the areas of equal opportunity, equal education, and affirmative action. Furthermore, equal opportunity and equal education is for all persons, regardless of race; color; creed; national origin; ancestry; religion; age; sex; sexual orientation; gender; marital status; pregnancy; disability; arrest or conviction record; political affiliation; veteran status; genetic testing; or service in the armed forces.

The Wisconsin Legislature and U.S. Congress have passed numerous laws which require colleges and universities to disclose written information about their policies and experiences regarding alcohol and drugs, safety and security, student misconduct, and campus crime, including sex offenses. These laws were passed to inform students and staff about the environment in which they study and work.

LTC strives to maintain a campus environment which is supportive of the educational process. Please take a few minutes to read the information contained in this brochure. Hopefully, it will contribute to the successful achievement of your academic goals by alerting you to potential problems before they occur and/or directing you to helpful resources if and when problems do occur.

Your assistance in helping LTC to maintain a safe and supportive learning environment is always appreciated. If you have questions concerning any of the information contained in this pamphlet, please contact Kathleen Kotajarvi, Chief Human Resources Officer, 920.693.1163.

## LTC's Alcohol and Drug Policy Drug-Free Workplace/Schools/Communities

**Section 1. Introduction.** Drug use and the unlawful possession of controlled substances on the LTC (hereinafter "college") premises undermines the integrity of a productive work and student environment. The college recognizes drug and alcohol dependency as an illness and a major health problem. The college also recognizes drug and alcohol abuse as a potential health, safety, and security problem. As a condition of program/course enrollment and employment at the college, both students and employees shall abide by the terms of this policy so that the college will remain in compliance with all federal, state, and local drug-free laws. Students and employees have the option to disclose to the College Health Nurse the use of prescription drugs with unique/unusual side effects. Employees and students are expected and required to report to work and class on time and in an appropriate mental and physical condition. It is the college's intent and desire to provide a drug-free, healthful, safe, and secure work and educational environment.

**Section 2. Prohibited Acts.** The unlawful manufacture, distribution, dispensation, possession, or use of a controlled

substance on college premises or while conducting college business off the college premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination of employment for employees or expulsion for students.

**Section 3. Confidentiality.** Conscientious efforts by employees and students to seek assistance for drug and alcohol abuse problems will not jeopardize any employee's or student's position and will not be noted in any record. Employees needing help are encouraged to use the college's Employee Assistance Program. Students are encouraged to contact a counselor in Student Services at Extension 1109.

**Section 4. The Drug-Free Workplace Act of 1988.** The Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 USC secs. 701-707) requires grantees (LTC) of federal agencies to certify that they will provide drug-free workplaces. The act requires that the college (grantee) report criminal drug offense convictions of an employee occurring in the workplace within ten calendar days, in writing, to the appropriate person or office in the federal agency for each grant upon which the convicted employee was working.

Employees are required to report their convictions, as that term is defined in the Drug-Free Workplace Act, of any federal or state criminal drug statutes concerning illegal activity involving a controlled substance as defined in the act to the Human Resources Department within five days after the conviction.

Within ten days of receiving the written notice of the conviction from an employee or any other form of notification, the college shall provide written notice including the convicted employee's position title to every grant officer or other designee on whose grant activity the convicted employee was working.

Within 30 days of receiving the written notice of the conviction from an employee or any other form of notification, the actions which may be taken by the college could require the employee to participate satisfactorily in an approved drug abuse assistance rehabilitation program; or the college may take disciplinary action against the employee, up to and including termination, but in compliance with state and federal laws.

The policy adopted herein applies to any and all persons working for the college who work on any activity covered under any grants covered by the act as well as any persons whose services are paid indirectly from any grants received that are covered by the act. The college is required to establish and maintain an ongoing drug-free awareness program while receiving federal grants which are subject to the act.

**Section 5. The Drug-Free Schools and Communities Act Amendments of 1989.** This portion of the policy is intended to comply with the Drug-Free Schools and Communities Act Amendments of 1989 (Pub. L. 101-226; 20 USC Secs. 3171-

3232).

In order to comply with the Drug-Free Schools and Communities Act Amendments of 1989 (Pub. L. 101-226), the LTC is required to certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

The college, on an annual basis, will distribute in writing to each employee and each student, the following: (1) the standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities; (2) a description of the applicable legal sanction under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol; (3) a description of the health risks associated with the illicit drugs and abuse of alcohol; (4) a description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students; and (5) a statement that LTC will take disciplinary sanctions on students and employees, in accordance with local, state, and federal law, and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution for violations of standards of conduct of the LTC. Students found in violation of the regulations will be subject to disciplinary action, suspension, or withdrawal.