



**2020**

(Information for 2019-2020 Academic Year)

***Annual***  
***Campus Security***  
***Report***

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## LTC OVERVIEW

Lakeshore Technical College (LTC) is a public, two-year post-secondary educational institution focused on technical education. One of 16 comprehensive technical colleges in Wisconsin that operates under the administration of the Wisconsin Technical College System (WTCS), LTC is locally-governed by a nine-member District Board (LTC Board) whose representation is determined by State Statute.

Located in east central Wisconsin, LTC serves a district that measures approximately 1,200 square miles, covering Manitowoc and Sheboygan counties and small portions of Calumet and Ozaukee counties. The main campus, consisting of five instructional buildings and one facility building on a 154-acre site, as well as an environmental campus, is in the Village of Cleveland, Wisconsin, centrally located between the District's two primary city centers, Manitowoc and Sheboygan. The College also operates two learning sites located in the cities of Sheboygan and Manitowoc, the Plymouth Science and Technology Center, and the School of Agriculture located adjacent to the Farm Wisconsin Discovery Center in Newton in Manitowoc County (Figure 1).

**Figure 1: LTC District Map**



LTC demonstrates a commitment to excellence through its focus on workforce preparation, access and affordability, institutional effectiveness and responsiveness to community needs. Partnerships in the community, with businesses and with education, both K-12 and post-secondary, are key to building career pathways that help keep the economy strong. The Higher

Learning Commission reaffirmed LTC’s accreditation in 2015 for another ten years. Due to its history of continuous improvement and practices, the college is now in the Open Pathway track. The mode is unique in that its improvement component, the Quality Initiative, gives institutions the independence to pursue improvement projects that are geared toward their current needs and aspirations.

**Scope of Educational Offerings**

LTC’s mission is realized with each graduation as students enter the workforce equipped with critical skills and core abilities (common learning objectives) to meet employer needs (Figure 2). The College’s educational offerings include degree and diploma programs, apprenticeships, incumbent worker training, and pre-college instruction. Additional student learning opportunities include internships, clinicals, and participation in student clubs, student life activities, and service learning. Thirty-seven associate of applied science degrees, 15 technical diploma programs, 42 LTC district certificates, 20 embedded technical diplomas, 18 embedded pathway certificates, and 12 state-indentured apprenticeships are offered through six instructional divisions. LTC’s programs incorporate industry-leading technologies to reflect the employment needs and provide a base for lifetime learning. Students access these technologies through hands-on learning. To increase student accessibility, programs are shared with other colleges and courses are offered through flexible learning options. Fourteen programs hold professional certification or specialized accreditation from 12 entities.

**Figure 2: Student Core Abilities (Common Learning Objectives)**

Demonstrate Critical Thinking	Work Cooperatively
Demonstrate Responsible and Professional Workplace Behaviors	Apply Learning
Communicate Effectively	Respect and Appreciate Diversity
Use Mathematics Effectively	Integrate Technology
	Apply Sustainable Practices

In addition to meeting the needs of District residents through programs and course offerings, LTC offers courses, workshops, and seminars to meet the needs of business and industry. LTC’s Workforce Solutions provides customized training to employers to update employee skills and improve workplace performance. In addition, Workforce Solutions provides comprehensive assessment services to assist employers to develop training plans for employees. In 2018-19, Workforce Solutions served 126 companies.

Community Education and Pre-College instruction is available through LTC’s Manitowoc and Sheboygan locations. Pre-College focuses on academic preparation and includes Adult Basic and Secondary Education (ABE/ASE), English Language Learner (ELL), General Educational Development (GED), and High School Equivalency Diploma (HSED). Community Education focuses on personal and professional enrichment, as well as career exploration.

## **Distinctive/Critical Facilities, Equipment, Technologies, Regulatory Environment**

LTC plans for facilities growth as well as technology expansion as it advances its mission, vision, and strategic plan. LTC allocates resources annually for equipment and remodeling projects to systematically upgrade classroom learning environments that enhance student learning.

Within its broad range of technical education, LTC has many distinctive teaching/learning facilities that use technology to enhance the students' hands-on learning experiences. The Clinical Skills Lab offers an intravenous (IV) arms, human patient simulators, an anatomage table, a radiography lab, and other hands-on learning equipment for healthcare students to practice and check off skills before placement in a clinical site externship. The human patient simulator mimic health conditions for students to practice treating. The Dental Clinic provides students an opportunity to work in a multi-chair dental clinic. Local dentists, hygienists, and assistants volunteer their time to work with students and provide community dental care.

The Public Safety Training Center offers programs and training ranging from Emergency Medical Services (EMS) to Confined Rescue. A simulated city, Scenario City, allows students in the Public Safety programs to practice emergency skills in a real-life environment. A fully operational Emergency Operations Center provides a site for hands-on training and an alternate site for emergency responders in case of an event. A state-of-the-art driving skills course offers training to emergency vehicle operators, motorcyclists, and other drivers. This course provides local agencies opportunities to train more often with the desired outcome of less traffic injuries or fatalities. A high angle rescue tower was erected to teach proper climbing and fall rescue techniques.

LTC's renewable energy demonstrations include multiple grid-tied wind turbines and two photovoltaic panels which introduced renewable energy and sustainability education. LTC utilizes light tubes to light spaces in place of fluorescent fixtures and lighting controls to turn-off lights in spaces not in use. In 2011, LTC developed an Energy Education Center. Future sustainable infrastructure installations are planned as well as additional residential workshops and sustainability offerings. LTC leases property from the LTC Foundation, for the Environmental Campus, which houses the Sustainable Horticulture and Landscape Horticulture programs.

The Kohler Center for Manufacturing Excellence includes the Nierode Building and Plastics Engineering Manufacturing Building which is a simulated modern manufacturing site that provides welding, industrial maintenance, and sheet metal trades instruction. LTC expanded this building in 2013-14, to combine and increase the welding labs, provide space for the fabrication program and add lab space for Industrial Maintenance and other programs. The Nierode building showcases robotics, programmable logic controllers, computer aided drafting, computer numerical controlled machine tools, and other hands-on learning equipment used in modern manufacturing facilities. Space in the Nierode building was remodeled in 2014 to expand the Machine Tool and CNC, and Automation.

LTC has collaborated with Plymouth High School to create a LTC Plymouth Science and Technology Center. High school students use the labs and classrooms during the day and LTC students use them in the evenings. In 2012, LTC in collaboration with the Department of Corrections and Bay Area Workforce Development Board purchased a truck and trailer to be used as a Mobile Manufacturing Lab. The lab contains equipment that is used for instruction and assessment in advanced manufacturing competencies, including Pneumatics, Mechanical Systems, Electricity, Motors & Controls, and Programmable Logic Controls & Touch Screen Programming. In 2019, LTC launched College Here and Now. This is a collaborative effort between LTC, the Kiel High School, Sheboygan Area School District, and Lakeland University. This collaboration allows for students to complete a high school credential and an Associate Degree in Web and Software Development at the same time.

The campus wide learning college classroom and technology refresh plans ensure every classroom and conference room has current and similar equipment and room arrangements to increase usability and functionality. The technology refresh plan ensures computer, network and media equipment is updated on regular cycles. Wireless networking is available throughout the campus.

In 2016, a new IT/Mechanical Design mobile lab was created that is equipped with a laptop cart with computers and software to support industry-specific training and is configured for roll-on/roll-off capability to deliver coursework, training and assessments in the mobile lab and on-site.

## **GOVERNANCE AND ADMINISTRATION**

The WTCS is the administrative and coordinating agency of the WTCS Board. It helps ensure quality, accountability and efficiency. The WTCS implements statewide policies and standards established by the WTCS Board and administers state funding provided for 16 technical college programs and services. The WTCS also monitors and reports on federal requirements related to technical college operations and administers funding received under the federal Carl Perkins and Adult Education and Family Literacy Acts.

The LTC Board is the governing body of LTC. Rules governing the appointment of the LTC Board can be found in Wisconsin State Statutes 38.08 & 38.10. Per statute, LTC's Board is composed of 9 members who are residents of the district with make-up as follows: two employee members, two employer members, one school district administrator, one elected official, and three additional members. Equal consideration is given to the general population distribution within the LTC District as well as to the distribution of women and minorities as required by Wisconsin State Statutes Sections 38.08 and 38.10. An apportionment plan was approved in 1977 with that portion of Manitowoc County and Calumet County within the Lakeshore district representing the northern portion of the district and that portion of Sheboygan County and Ozaukee County within the Lakeshore district representing the southern portion of the district. Per WTCS ruling to ensure reasonable distribution by region, make-up of the LTC Board requires that ideally four

members will be from the northern portion of the district and ideally five members will be from the southern portion of the district, pending availability. Per WTCS ruling to ensure reasonable distribution by gender, the make-up of the LTC Board requires a minimum of three male and three female members and a minimum of one minority member must be on the LTC Board.

County Board Chairpersons of counties having territory within the LTC District constitute the appointment committee. Wisconsin statute states that the County Board Chairperson from the most populous county, will serve as the Chair of the Appointment Committee. For that reason, the Sheboygan County Board Chair serves as Committee Chair. LTC Board Terms are for three years. Officers are a chairman, vice-chairman, and secretary/treasurer.

Regular meetings of the LTC Board are typically held on the third Wednesday of each month, with the exception of the July Board meeting, which is held on the second Monday of the month. This meeting is the organizational meeting of the LTC Board, at which time officers are elected. Meetings are held in the afternoon on the Cleveland Campus, 1290 North Ave, Cleveland, Wisconsin. Approximately three times annually the LTC Board holds their board meeting at a business in the community. Meetings are open to the public. Agendas for these meetings are prepared by the President of the College and LTC Board Chair. Board material is emailed to LTC Board members a week preceding the LTC Board meeting day. This enables the LTC Board ample time to review agenda materials sent out prior to the Board meeting.

LTC's commitment to continuous quality improvement and student outcome performance monitoring began in 1999 when the LTC Board adopted a Governance Model that focuses on outcomes: LTC exists so the community workforce will be well trained, diverse, flexible and will meet the needs of a changing marketplace. Learning opportunities are affordable and accessible, within available resources.

Lakeshore Technical College follows a 10-year cycle, which the Higher Learning Commission refers to as the Open Pathway. This model requires assurance reports in years four and ten of the decennial cycle, with the reaffirmation visits occurring in year ten. During the last five years of the cycle, a large-scale quality initiative is also a required component of the model. This increases the amount of contact between HLC and member institutions while emphasizing assessment, integrated planning and quality improvement.

## **LTC Board Guidelines**

LTC's Board reviews and approves the Plan and Budget prior to the start of the fiscal year. LTC issues General Obligation Promissory Notes for capital projects including new construction, site improvement, building remodeling and improvements, and capital equipment purchases. The following are used during the budget planning process:

- Operating expenditure increases will not exceed revenue.
- The operating tax levy will not exceed state parameters for net new construction.

- Student fee increases will follow state approved rates.
- Maintain fund balance between 20 and 35 percent of general fund revenues.
- The College will strive to avoid borrowing for cash flow purposes.
- Replacement budgets should be established for all recurring major equipment expenditures.
- Capital expenditures will follow the long-term facility plan and replacement schedules.
- Major projects outside of replacement will be funded upon LTC Board approval. The maturity date for any debt will not exceed the reasonably expected useful life of the equipment or project so financed.

## **Administration**

The LTC administrative structure is comprised of the LTC Board, the College President who reports to the Board; Vice-Presidents, and an Executive Assistant who all report directly to the College President. Other administrative staff include supervisors, specialists, coordinators, managers, and officers.

## **LTC POLICE/SECURITY DEPARTMENT**

LTC Police is comprised of part time sworn police officers. These officers are full and part time sworn officers from Manitowoc and Sheboygan counties. Our Police officers are deputized Law Enforcement officers through the Sheriff of Manitowoc County. LTC holds a current Memorandum of Understanding to this effect. LTC Police patrol the Cleveland Campus primarily when student/guest population is high on campus and have the power to arrest.

LTC Police/Security Departments are overseen by the Dean of Public Safety and Energy. The LTC Police/Security Department has one part-time Police Liaison officer and up to 10 part-time Police officers. Campus Police Officers have the authority to enforce State and Local laws and College policies.

The patrol jurisdiction of LTC Police officers is limited to any buildings or properties owned or controlled by LTC in Manitowoc County. LTC Police may assist Manitowoc and Sheboygan Law Enforcement agencies with investigations at the LTC owned or controlled facilities in those jurisdictions.

The Police Liaison Officer is responsible for the overall operation and presentation of the LTC Police/Security Department and the safety procedures of the College. Some of these duties include development of all applicable policies and procedures, awareness programs, management of security and safety events, scheduling, and working with local public safety officials. The LTC Police and Police Liaison Officer are also participating members of the Incident Management Team (IMT).

LTC Police part-time positions receive extensive training in Law Enforcement procedures through their primary agencies. Duties of the LTC Police Officers include preventative patrol procedures,



personal escorts, lock/unlock rooms upon request, response to incidents and case investigation. LTC Police may be reached at 920.946.6310 or via 911 through Manitowoc County Dispatch. LTC Police have direct radio contact through Manitowoc County Dispatch.

LTC Security is overseen by the Dean of Public Safety and Energy and is comprised of part-time Security officers. LTC Security Officers are retired law enforcement professionals or students from the LTC Public Safety Programs. LTC Security Officers are non-sworn and receive additional training on report writing, patrol operations and professional communications. LTC Security are scheduled to work when student/guest populations are lower on the Cleveland campus. LTC Security Officer's duties include preventative patrol procedures, personal escorts, lock/unlock rooms upon request, and response to incidents. LTC Security staff will communicate with either LTC Police or our Local Law Enforcement partners when additional Law Enforcement investigation is required.

The College is very proud to have a very close working relationship with all our local law enforcement agencies, including Manitowoc County Sheriff's Office, Manitowoc Police Department, Sheboygan County Sheriff's Department, Sheboygan Police Department and Wisconsin State Patrol. With their assistance, we are better able to provide a safe and secure environment to all who enter our campuses.

## **ANNUAL DISCLOSURE STATEMENT**

The LTC Police prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website. You will also be able to connect to our site via the LTC home page at [gotoltc.edu](http://gotoltc.edu). This report is prepared in cooperation with the local law enforcement agencies within the jurisdictions of our LTC campuses. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Each year, all enrolled students and registered staff receive and email from the college that provides a direct link to this report. Copies of this report may also be obtained from the LTC Police/Security Department located in Room L250 as well as the Human Resources Department (Room L148) at the LTC Cleveland Campus or by calling 920.946.6310.

## **THE HIGHER EDUCATION OPPORTUNITY ACT (HEOA)**

Effective August 14, 2008, the HEOA Act 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*. The LTC District fully complies with HEOA.

The HEOA also requires a statement as to the existence of agreements, such as a Memorandum of Understanding (MOU), between the institution and local or state law enforcement. Such

agreements do exist between the College and the local law enforcement authorities including a signed Memorandum of Understanding.

## **SECURITY AWARENESS AND CRIME PREVENTION PROGRAMMING**

LTC Police/Security Department is committed to a safe and secure environment. This is achieved by various training and informational methods. The LTC Police/Security Department partners with other organizations in the college to offer various crime prevention programs such as the NRA Refuse to Be A Victim collegiate edition program, personal protection, drug and alcohol abuse, harassment, dating and domestic violence, sexual assaults, stalking and work place violence.

Various incidents that occur throughout the nation may precipitate other awareness programs and training to better help students and staff to feel better about their safety and security at LTC and in their homes.

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

During the 2019-2020 academic year, LTC offered approximately 4 crime prevention and security awareness programs. Topics such as personal safety workplace safety, and Civilian Response to Active Shooter events are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees are encouraged to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious and involved and advised to call LTC Police/Security Department to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at 920.946.6310.

As part of the department's community-oriented policing philosophy, LTC Police/Security Department offers crime prevention presentations to classrooms, campus clubs and student groups as requested. Topics of these presentations include personal safety awareness, Rape Aggression Defense (R.A.D.) and property protection strategies.

## **CRIME/INCIDENT REPORTING**

LTC encourages all persons attending or visiting the campus to report all real or perceived criminal acts and/or all other incidents of suspicious or medical nature to the LTC Police/Security Department so proper and appropriate follow-up or assistance can be provided.

To report a crime, call the LTC Police/Security Department at 920.946.6310, or in an emergency dial 911 for local public safety officials. Reporting of crimes can be accomplished 24 hours a day

by contacting LTC Police Office or by calling 911. Information on Campus Security is provided in the Student and Employee handbooks as well as LTC's website. Emergency Contact Information is posted throughout the Campus. Information on the signs includes LTC Police/Security phone number and also 911. Signs are located in all parking lots and pathways leading to buildings. In each case, immediate and professional assistance will be available.

## **Response to a Report**

In response to a call, LTC Police/Security Department will take the required action, either dispatching an officer or asking the victim to report to LTC Police/Security Department to file an incident report. All reported crimes will be investigated by the College and may become a matter of public record. All LTC Police/Security Department incident reports are forwarded to the Dean of Public Safety and Energy for review and referral to the Office of Student Services for potential action, as appropriate. LTC Police/Security Department Investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office of Student Services. If assistance is required from the local Police Department or the local Fire Department, LTC Police/Security Department will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including LTC Police/Security Department, will offer the victim a wide variety of services.

Members of the LTC community are encouraged to accurately and promptly report crime and emergencies to the LTC Police/Security Department, including when the victim of a crime elects to, or is unable to, make such a report.

Members of the community are helpful when they immediately report crimes or emergencies to the LTC Police/Security Department and at the following local jurisdictions:

- Manitowoc Co Sheriff 920.683.4200.
- Manitowoc Police Department 920.686.6500.
- Sheboygan Co Sheriff 920.459.3111.
- Sheboygan Police Department 920.459.3333.

For purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

## **LTC Police/Security Department**

Incidents on the Cleveland Campus can be reported to an LTC Police Staff making routine patrols of the LTC Campus. All LTC Police Officers are trained in advanced recognition of criminal activity or suspicious behavior and are able to properly facilitate a response to all criminal acts and/or situations. Shall it be deemed necessary, an LTC Police Incident Report will be generated and completed in a timely manner. LTC Police Officers shall make the decision whether outside

assistance from other police authorities is needed. The on duty security officer will always have the ability to confide with their supervisor for further guidance.

The additional LTC campuses have the ability to have phone contact with the Cleveland Police Department during any hours of operation. In the event of true emergencies it is recommended that the local law enforcement agencies are contacted promptly for their intervention. These incidents would still require an LTC Police Incident Report for proper documentation.

The main LTC Police/Security Department is currently located on the Cleveland Campus in Room L250. The phone number is 920.693.1155 (ext. 1155 on any internal phone) or 920.946.6310 (cell).

### **Closed Circuit Television (CCTV)**

The LTC Cleveland campus is monitored by CCTV locally. Local law enforcement agencies have access to this footage through the LTC Police/Security Department. LTC Campus Police also have access to temporary/portable cameras which may be installed at our other locations if needed. This is done in an effort to maintain a safe and secure environment for our student's staff and visitors.

### **Confidential Reporting Policy**

If you are the victim of a crime and do not want to pursue action by the LTC Police/Security Department, you may still want to consider making a confidential report. With your permission, LTC Police/Security Department will report on the details of the crime without revealing your identity. The purpose of the confidential report is to comply with your wish to keep the matters confidential, while taking steps to ensure the future safety of yourself and others. With such information, LTC Police/Security Department can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regards to a particular location, method, or assailant, and alert the campus community of potential danger. Reports filed in the matter are counted and disclosed in the annual crime statistic for LTC.

### **Off Campus Reporting**

Because of the limited scope of authority vested in the LTC Police/Security Department, we are currently unable to monitor or provide security services to students and staff while off of any LTC Campus. LTC Police/Security do not have any jurisdiction at our off-site locations. Criminal activity and law enforcement services to student and staff off campus are provided by the local police departments when violations of federal, state, or local laws surface.

LTC does not have officially recognized student organizations that own or control housing facilities outside of the LTC core campus. Therefore, local police departments are not used to

monitor and record criminal activity since there are no off campus locations of student organizations.

This cooperative team approach addresses situations as they arise as well as future concerns to the students, staff and community. Our Law Enforcement Partners are as follows:

Cleveland Village Police	Manitowoc County Sheriff	Manitowoc City Police
1150 West Washington Ave	1025 S 9 <sup>th</sup> St	910 Jay St
Cleveland, WI 53015	Manitowoc, WI 54220	Manitowoc, WI 54220
920.693.3442	920.683.4200	920.686.6500

Sheboygan County Sheriff	Sheboygan City Police
525 North 6 <sup>th</sup> St	1315 N 23 <sup>rd</sup> St
Sheboygan, WI 53081	Sheboygan, WI 53081
920.459.3111	920.459.3333

## **COUNSELING SERVICES CONFIDENTIALITY STATEMENT**

LTC's counselor is required by law and by professional ethics to protect the confidentiality of all communication between counselor and counselee. In some situations involving danger and/or risk of imminent harm, counselors are required to disclose certain information in order to protect all involved. In certain legal situations, including court orders, counselors are required to disclose information as necessary to comply with the law in that situation. If at all possible, the counselor will discuss the procedures for doing this and enlist counselee's assistance in a resolution of the situation that has necessitated such disclosure. The counselor is encouraged to inform people being counseled of the procedures to report crimes to LTC Police/Security Department on a voluntary basis for appropriate investigation and inclusion into the annual report statistics.

### **Response Teams**

The *Governor's Task Force on Campus Safety* report was released in November of 2007 after the tragic event that occurred at Virginia Tech. In this comprehensive report one of the foremost recommendations was for colleges and universities to create a threat assessment team to identify, evaluate, and address concerns of staff and students. LTC embraced this idea and created two response teams, the Incident Management Team (IMT) and the Behavioral Intervention Team (BIT).

It is the purpose of the IMT Charter to provide a safe and secure environment for students, staff, and visitors through creation, implementation, and continuous improvement of procedures based on current issues.

The IMT, in conjunction with the College President create and update an Emergency Operations Plan that includes the response objectives, preparation practices and recovery options implemented during unplanned emergencies and disasters of various magnitudes. LTC is prepared to respond, react, and recover from a multitude of emergency and disaster situations that have been determined to possibly threaten the safety and security of anyone within campus facilities, on campus grounds, as well as engaging in the oversight and management of the recovery effort to restore buildings and infrastructure affected by a variety of emergency or crisis situations.

The BIT coordinates responses to student behaviors of concern to other students, faculty, or staff. When red flags are raised about specific student behaviors, team members will follow up on these concerns. The team does not replace other classroom management or disciplinary processes but is a resource to help at-risk students and ensure the safety and security of everyone on campus.

The interdisciplinary team meets regularly to assess and implement intervention plans for students deemed to be at risk to themselves or others socially, mentally, or physically. The team

strives to balance the needs of behaviorally at-risk students with the safety and security of the larger college community.

## **Timely Warning**

In the event a crime is reported or a situation arises, within the LTC Clery Geography (On Campus, Public Property and Noncampus property), that, in the judgment of the LTC Campus Police or College Incident Management Team and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide “timely warning” notice will be issued.

To reach as many people as possible, the timely warning will be distributed across many different medias as possible.

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 LTC 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 information known by the LTC Campus Police 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 LTC Campus Police 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 LTC.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Timely Warning Notices will be issued to the campus community via email blast to all LTC assigned email accounts. Timely warnings may also be issued using some or all of the following methods of communication: text messages or emails sent through LTC's Alert Notification System or building postings by Facilities staff.

## **Emergency Response and Evacuation Procedures**

LTC maintains an Emergency Operations Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular units or positions.

College units are responsible for developing emergency response and continuity of operations plans for their areas and staff. The Incident Management Team provides resources and guidance for the development of these plans.

In conjunction with other emergency agencies, the College conducts emergency response drills and exercises each year, such as table top 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 email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

## **Emergency Evacuation Procedures**

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

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At LTC evacuation drills are used as a way to educate and train



occupants on fire safety issues specific to their building. During the drill, occupants ‘practice’ drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

## **General Evacuation Procedures**

Procedures for evacuating LTC facilities are detailed in the LTC Emergency Checklists and on the Emergency Evacuation Routes posted in each room.

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify LTC Police/Security Department dial 911. Use the following directives as you vacate the building:

- Remain calm.
- Do NOT use elevators, use the stairs.
- Assist the physically impaired. If he/she unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform LTC Police/Security Department or the responding Fire Dept. of the individual's location.
- Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
- Make sure all personnel are out of the building.
- Do not re-enter the building.

## **Shelter-in-Place Procedures – What it Means to “Shelter-in-Place”**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

## **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If police or fire department personnel are on the scene, follow their directions.

## **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, LTC Police/Security Department, other College employees, local police departments, or other authorities utilizing the LTC’s emergency communications tools.

## **How to “Shelter–in-Place”**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

- If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be the following:
  - An interior room.
  - Above ground level.
  - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
- Shut and lock all windows (tighter seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able. (College staff will turn off the ventilation as quickly as possible.)
- Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to LTC Police/Security Department so they know where you are sheltering. If only students are present, one of the students should call in the list.
- Turn on a radio or TV and listen for further instructions.
- Make yourself comfortable.

## **Emergency/Immediate Notification**

LTC has developed a process to notify the campus community in cases of 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 an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

In the event of an emergency, LTC will initiate and provide, without delay, immediate 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, employee and visitors.

The LTC Incident Management Team is responsible for confirming an emergency in conjunction with campus administrators, local first responders and/or the national weather center.

Immediate issues will be dealt with via a public address system, television monitors, loud speakers, fire alarms, and emergency evacuation maps around the LTC area, as well as through text, phone and email messaging (Rave Alert). Information received by text, phone and email will be through the Rave Alert mass notification system, the cost is free for students and staff. If feasible or needed, a media report will be released to local radio and TV stations for mass broadcast.

The LTC Police/Security Department, Marketing Department, and College Leadership 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 LTC Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

Follow up warning will be posted on exterior doors of any affected LTC location, on the main page of the LTC website, electronically mailed and texted to members of the LTC community.

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 LTC webpage and/or social media.

Note: If it is 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. LTC 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: LTC Police/Security Department, local police departments and/or the local fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

## **COLLEGE ACCESS CONTROL**

LTC has limited hard keys for exterior access and relies primarily on electronic card access to permit entry. This allows for greater access control throughout the district and allows for a faster response when an access card is lost, misplaced or stolen. All access key cards are the property of LTC and must be returned upon the request of the proper authority.

During business hours, LTC will be open to students, parents, employees, the general public, contractors, guests and invitees. During non-business hours, access to all college facilities will

only be given to those needing to be in the building after hours as part of their regular job requirements (e.g. Information Technology, Facilities, and Contracted Cleaning). Village of Cleveland residents have access to the Wellness Center based on established hours. Anyone needing access to the Campus during non-business hours not mentioned in the above statement or not normally granted after hour's access will need to contact the LTC Police/Security Department at 920.946.6310.

## **Security of Campus**

LTC Campus Security/ Police conduct routine patrols of campus buildings to evaluate and monitor security related matters.

## **Security Considerations Used in the Maintenance of Campus Facilities**

LTC maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. LTC Police/Security Department works closely with Facilities Management to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. Other members of the College community are helpful when they report equipment problems to LTC Police/Security Department or to Facilities Management.

## **ALCOHOL USE BY STUDENTS POLICY**

Students will be expected to abide by the legal statutes covering the use of beer/alcoholic beverages. Using, possessing, or distributing alcohol at any college facility is not permitted. While participating in off-campus activities, students are not permitted to consume alcohol, regardless of their age. At on or off-campus events, clubs will not be permitted to purchase beer/alcoholic beverages using school or club funds. If staff recognize and identify situations where inappropriate student alcohol use is suspected, Campus Police or appropriate authorities will be contacted immediately. Violations of this policy may result in Student Code of Conduct Violations.

## **Alcohol and Drug Abuse (AODA) Prevention Program**

LTC recognizes that the misuse and abuse of alcohol and other chemicals is a serious health problem affecting every aspect of human life. Some of these problems include the following:

- Diseases of the liver, brain, heart, pancreas and every other organ and/or system in the body.
- Depression, moodiness, disorientation and lack of inhibitions, which can lead to increased risk of accident, suicide and violent behavior including homicide.
- Difficulties with memory, concentration, attention span, abstract reasoning and the ability to process perceptual information in a manner consistent with reality.

- Spontaneous miscarriage and fetal malformations including physical, cognitive and emotional problems which can be permanent.
- The risk of dependency and its related physical, mental emotional, social, legal, family and financial problems.

A student in need of assistance to work through such problems is encouraged to contact the LTC counseling office. Conscientious efforts to seek such help shall not in themselves jeopardize any student's enrollment and will not be noted in the student's educational record. Any assistance provided can be done anonymously and is kept completely confidential within legal guidelines.

## **Drug Free Schools and Communities Act**

In compliance with the Drug Free Schools and Communities Act, LTC has established a Drug-free Workplace/Schools/Communities policy and publishes information regarding the College's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for LTC students and employees.

## **DISCRIMINATION AND HARASSMENT POLICY**

In keeping with its commitment to provide a safe learning and working environment, discrimination or harassment of any employee, student, non-employee, third party individual, or retaliation for reporting or investigating such behavior will not be tolerated at Lakeshore Technical College. Such conduct is subject to discipline up to and including termination or expulsion.

### **Recognizing Discrimination/Harassment**

The College prohibits discrimination and harassment, based on age, race, color, religion, disability, gender, marital status, sexual orientation, national origin, ancestry, pregnancy and other legally protected status. Harassment is defined as unwelcome verbal and/or physical conduct that unreasonably interferes with an individual's work or academic performance, creates a hostile, intimidating or offensive environment or is the basis for an employment or educational decision. Such conduct may be subtle and/or manipulative. Occasional compliments of a socially acceptable nature are not generally considered harassment. Victims and offenders may be managers, supervisors, co-workers, and non-employees such as clients or vendors, and students.

### **Rights and Responsibilities**

All employees, non-employees, students and third-party individuals have the responsibility to comply with all discrimination and harassment laws. The College and each employee, non-employee, and student have rights, responsibilities, and liabilities associated with

inappropriate/illegal conduct. Rights are protected under applicable antidiscrimination laws. Responsibility involves demonstrating appropriate and respectful conduct in the work/education environment. Liabilities for both the College and the individual may include criminal action, civil action, enforcement agency action, and monetary and other penalties.

### **Authority for Enforcement of Policy**

The Affirmative Action Officer, acting on behalf of the college, has the authority to investigate complaints against its agents, employees, non-employees, students and third-party individuals whether the specific acts complained of were forbidden or even authorized by the college and regardless of whether the college knew or should have known of their occurrence. The Affirmative Action Officer is authorized to render recommendations and take corrective action.

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

LTC reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the College community. Toward that end, LTC 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.

LTC does not discriminate on the basis of gender, gender identity, or sexual orientation in administration of its educational policies, admissions policies, scholarship and loan programs, and other College-administered programs or in its employment practices. Students, instructors, and staff are subject to various federal, state and local laws, which regulate civil and criminal conduct. Title IX of the Higher Education Act of 1972 ("Title IX") prohibits discrimination on the basis of sex in education programs or activities operated by recipients of Federal financial assistance. Sexual assault and harassment are forms of sex discrimination that are illegal under Title IX. Sexual assault is an act of sexual violence, which involves any form of sexual contact or conduct without a person's consent. Title IX and the Campus Sexual Violence Elimination Act of 2013 ensure that colleges and universities implement policies and programs to prevent sexual harassment, sexual assault, stalking, relationship based violence, and hate crimes.

Students are encouraged to direct Title IX questions, concerns, and complaints to the Title IX Coordinator or the Title IX coordinator. If the Title IX Coordinator is alleged to be the person who engaged in discrimination or sexual misconduct, the report may be filed with another of the named offices. Complaints can also be filed with the Office of Civil Rights (OCR). The OCR encourages complainants to follow the College's process prior to filing a complaint with OCR;

however, it is not required. Generally, complaints must be filed with OCR within 180 days of the alleged event. Complaints can be filed with OCR via email at [ocr@ed.gov](mailto:ocr@ed.gov) and by completing an electronic complaint form at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

Consistent with federal and state law and the intended culture of the College, LTC strives to provide a safe and welcoming campus environment. In order to attain this goal, the College seeks to provide safety, privacy and confidentiality where possible, and support to victims of sexual assault and violence at all LTC campuses and Regional Learning Centers. LTC offers educational programming to promote the awareness and prevention of rape, acquaintance rape, sexual assault, sexual harassment, domestic violence, dating violence, and stalking. There are instances where conduct or content of a sexual nature is a legitimate part of the curriculum; whereas, the same conduct might be sexual harassment in another context. Reports involving violations of this policy will be taken seriously and incidents will be responded to in a prompt and equitable manner.

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

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

LTC has a zero tolerance policy for gender-based misconduct. When an allegation of misconduct is brought to the Title IX coordinator's attention, and a respondent has been found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are not repeated. This policy has been developed to include the following:

- Reaffirm these principles.
- Provide recourse for individuals whose rights have been violated.
- Define community expectations.
- Establish when expectations have been violated.

On-campus violations include any violation which occurs: within the geographic confines of the college, including its land, institutional roads and buildings, its leased premises, common areas at leased premises, the property, facilities and leased premises of organizations affiliated with the college.

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

- Involves conduct directed at or by a college student or other member of the college community (e.g. outside employment).
- Occurs during college-sponsored events (e.g. field trips, social or educational functions, college-related travel, student recruitment activities, internships and service learning experiences).
- Occurs during the events of organizations affiliated with the college, including the events of student organizations.
- Occurs during a Study Abroad Program or other international travel.
- Poses a disruption of threat to the college community.

The college cannot fully address the continuing effects of off-campus sexual violence on campus or in an off-campus education program or activity unless it processes the complaint and gathers appropriate additional information in accordance with its established procedures.

### **Prohibition of Sexual Harassment Under Title IX Policy**

All forms of sexual harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit sexual harassment and Lakeshore Technical College will not tolerate sexual harassment. LTC is committed to providing an academic and work environment that respects the dignity of individuals and groups. The college shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence.

LTC seeks to foster an environment in which all employees, students, applicants for employment, and applicants for admission feel free to report incidents of sexual harassment in violation of this policy and Title IX, without fear of retaliation or reprisal. Therefore, the college also strictly prohibits retaliation against any individual for filing a complaint of sexual harassment in violation of this policy and Title IX or for participating, or refusing to participate, in a sexual harassment investigation. The college will investigate all allegations of Title IX retaliation swiftly and thoroughly. If the college determines that someone has retaliated, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in Title IX retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any employee, student, applicant for employment, or applicant for admission who believes that he/she/they has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in LTC's Responding to Harassment



Based on Sex under Title IX procedure. The college requires supervisors to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To this end the College President shall ensure that the institution undertakes education and training activities to counter sexual harassment and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The College President shall establish procedures that define sexual harassment on campus. The College President shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment in violation of this policy, and procedures to resolve complaints of sexual harassment in violation of this policy. State and federal law and this policy prohibit retaliatory acts against all participants by the college, its employees, students, and agents.

LTC will publish and publicize this policy and related written procedures (including the procedure for making complaints) to administrators, faculty, staff, students, applicants for employment, and applicants for admission, particularly when they are new to the institution. The college will make this policy and related written procedures (including the procedures for making complaints) available in all administrative offices and will post them on the college's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Volunteers or unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the volunteer assignment, internship, or other unpaid work experience program.

## **Overview of Policy Expectations with Respect to Consensual Relationships**

There are inherent risks in any romantic or sexual relationship between individuals with unequal authority (such as an Instructor and student or supervisor and employee). These relationships may be less consensual than perceived by the individual whose position has the authority. The relationship also may be viewed in different ways by each of the individuals, particularly in retrospect. Furthermore, circumstances may change, and conduct previously welcomed may

become unwelcome and a consensual romantic or sexual relationship may no longer be consensual for both individuals. For the personal protection of all individuals associated with LTC, relationships in which there may be real or perceived authority (Instructor-student, staff-student, administrator-student) a college policy has been established.

A consensual romantic sexual relationship in which there is a direct supervisory or evaluative role over another individual must be immediately communicated to the colleges Human Resources Office so that arrangements to remedy the supervisory or evaluative conflict can be implemented to avoid any violation of college policies and federal or state laws/statutes. For additional information, please refer to the [Consensual Relationship Policy](#) and/or the [Consensual Relationship Procedure](#).

## **Definitions**

In addition to the following definitions, the Wisconsin statutory definitions of violent acts against women are included in the appendix of this policy.

## **Student**

Any person who is currently enrolled for a course of study.

## **Consent**

The state of Wisconsin defines consent, in relation to sexual activity, as follows: consent means words or overt action by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. A person cannot consent to sexual contact or sexual intercourse in the following circumstances where:

- The person suffers from a mental illness or defect which impairs capacity to appraise personal conduct.
- The person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. (OR) The state does not have a definition of consent, in relation to sexual activity.

In accordance with Wisconsin Statute 940.225(4) LTC defines consent as informed, knowing and voluntary participation in any desired sexual activity. Sexual intimacy requires that all participants consent to the activity. Consent between two or more people is defined as an affirmative agreement to engage in sexual activity. Consent can be given by words or actions, as long as those words and actions create a clear and mutually understandable permission regarding the conditions of sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of his or her actions when giving the consent. Lack of protest or resistance does not constitute consent, and silence alone cannot be interpreted as consent. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in sexual activity

are responsible for obtaining consent—it should never be assumed. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Previous relationships or consent cannot imply consent to future sexual acts.

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

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

Wisconsin law also states that the following individuals are not able to provide consent:

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

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

## **Coercion**

Coercion is defined as compelling someone to act based on the following:

- An unreasonable amount of pressure.
- Harassment.
- Threats.
- Intimidation.

When someone makes clear that he or she does not want to engage in sexual conduct, wants it to stop, or does not wish to go past a certain point of sexual interaction, continued pressure beyond that point is coercive.

## **Retaliation**

Retaliating directly or indirectly against a person who has, in good faith, filed, supported, or participated in an investigation of a complaint of sexual misconduct, as defined above, is prohibited. Retaliation includes, but is not limited to, ostracizing the person, pressuring the person to drop or not support the complaint, or to provide false or misleading information, or engaging in conduct that may reasonably be perceived to affect adversely that person's educational, or work environment. Retaliation also includes similar conduct engaged in by a third party at the complainant's or respondent's request. Depending on the circumstances, retaliation may be unlawful and may constitute a violation of this policy, whether or not the Title IX complaint is ultimately found to have merit.

## **Hate Crime**

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

## **Sexual Misconduct**

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

Sexual misconduct include the following:

- Sexual assault.
- Sexual exploitation.
- Sexual harassment.
- Stalking.
- Relationship violence (domestic and dating).
- Hostile environment.

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

## **Sexual Assault**

Sexual assault is defined very broadly by criminal law. It includes a wide variety of conduct from sexual intercourse to sexual contact, without the consent of the other person. Criminal sexual contact can be as limited as a single instance of touching a woman's breast, buttocks, or genital area, or touching a man's buttocks or genital area, without that person's consent, even if the person touched is fully clothed. Other examples of sexual assault include the following:

- Rape.
- Acquaintance rape.
- Forcible fondling.
- Sodomy (oral or anal intercourse).
- Sexual penetration with an object.

## **Sexual Exploitation**

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

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

## **Sexual Harassment**

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

- Unwelcome sexual advances or requests for sexual favors.
- Unwelcome verbal or physical conduct of a sexual nature.
- Making submission to, or rejection of, such conduct a factor in academic or employment decisions affecting the student or employee.
- Permitting such conduct to unreasonably interfere with a student's academic performance or an employee's work performance.
- Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature or submission to or rejection of such conduct results in adverse educational or employment action (Quid pro quo).
- Adverse educational or employment action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct (retaliatory harassment).

Examples of sexual harassment include but are not limited to the following:

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

## **Stalking**

Stalking involves harassment, intimidation, surveillance or a similar course of repeated conduct that is intended to cause a reasonable person to fear for his or her safety or suffer substantial emotional distress, serious physical injury, or death. Stalking includes conduct directed at the victim's immediate family, a spouse, or intimate partner. Stalking can also be a form of sexual harassment and/or it can involve a total stranger.

## **Relationship Violence**

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

### **Domestic Violence**

Domestic Violence refers to violence committed by the following:

- Current or former spouse or intimate partner.
- Current or former cohabitant.
- Person with whom a victim shares a child in common.
- Person similarly situated to a spouse under domestic or family violence law.
- Anyone else protected under domestic or family violence law.

### **Dating Relationship**

Dating violence is inappropriate conduct when the parties involved are, or have been, in a romantic or intimate relationship and does not include a causal relationship between two

individuals in a business or social context. Whether a relationship exists will depend on the length, type, and frequency of interaction.

## **Hostile Environment**

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

The determination of whether an environment is "hostile" must be based on all of the circumstances listed here. These circumstances may include, but are not limited to the following:

- The frequency of the conduct.
- The nature and severity of the conduct.
- Whether the conduct was physically threatening.
- Whether the conduct was humiliating.
- The effect of the conduct on the alleged victim's mental or emotional state.
- Whether the conduct was directed at more than one person.
- Whether the conduct arose in the context of other discriminatory conduct.
- Whether the conduct unreasonably interfered with the alleged victim's educational or work performance.

Other Misconduct Offenses (when gender based) include the following:

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

## **Responding to Harassment Based on Sex under Title IX Procedure**

### **References:**

20 U.S. Code Sections 1681 et seq.;

34 Code of Federal Regulations Parts 106.1 et seq.

### **Introduction**

Lakeshore Technical College encourages members of the college community to report sexual harassment. This procedure only applies to conduct defined sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. The college will respond to sexual harassment and sexual misconduct that falls outside that definition and

outside the jurisdiction of the Title IX federal regulations using State law and applicable college policies and procedures. In implementing these procedures discussed below, the college will also provide supportive measures, training, and resources in compliance with State law, unless they are preempted by the Title IX regulations.

### **Title IX Coordinator**

Questions concerning Title IX may be referred to the college Title IX Coordinator whose contact information is below.

Lakeshore Technical College's Title IX Coordinator is:

George Henze

L142 Lakeshore Building

920-693-1733

[George.henze@gotoltc.edu](mailto:George.henze@gotoltc.edu)

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with State and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. However, the Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant's consent or cooperation.

### **Title IX Harassment Complaints, Investigations, and Hearings**

These Title IX sexual harassment procedures and the related policy protects students, employees, applicants for employment, and applicants for admission.

### **Jurisdictional Requirements – Application of Procedures**

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States.
- The conduct took place in an LTC "education program or activity." This includes locations, events, or circumstances over which the college exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the college owns or controls or student organizations officially recognized by the college own or control.
- The conduct meets the definition of Title IX "sexual harassment."



## Definitions

**Advisor:** Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the college must provide the Party an Advisor of its choice, free of charge. The college may establish restrictions regarding the extent to which the Advisor may participate in the proceedings as long as the restrictions apply equally to both Parties.

**Complainant:** A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

**Consent:** The state of Wisconsin defines consent as: Words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. The following persons are presumed incapable of consent:

- A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct.
- A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

**Decision-Maker:** The person who will oversee the live hearing and make a determination of responsibility. The college may have one Decision-Maker determine whether the Respondent is responsible and another Decision-Maker determine the appropriate level of penalty for the conduct. The Decision-Maker cannot be the Title IX Coordinator or the investigator. This person will be provided through a Memo of Understanding between the Wisconsin Technical College System campuses and the Wisconsin Department of Hearings and Appeals.

**Formal Complaint:** A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint.

**Parties:** As used in this procedure, this means the Complainant and Respondent.

**Respondent:** A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

**Sexual Harassment under Title IX:** Conduct that satisfies one or more of the following:

- An LTC employee conditions the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment).
- 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.

- Sexual assault, including the following:
  - **Sex Offenses.** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
  - **Rape** (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
  - **Sodomy.** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
  - **Sexual Assault with an Object.** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
  - **Fondling.** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
  - **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
- **Incest.** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape – Non-Forcible.** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating violence.** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence.** Violence committed by the following:
  - Current or former spouse or intimate partner of the victim.
  - Person with whom the victim shares a child in common.
  - Person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
  - Person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Wisconsin.

- Any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of the state of Wisconsin.
- **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

### **Reporting Options**

Any individual may report sexual harassment to the college's Title IX Coordinator.

LTC strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit the college's ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the college to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the college will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.

The college will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the college does not document personal information; the college reports the type of conduct, and the time, date, and location. (Also see Prohibition of Sexual Harassment under Title IX Policy.)

### **Lakeshore Technical College Employees as Mandated Reporters**

LTC employees who are not confidential resources (Campus Counselor, College Nurse etc.) are required to report allegations of sexual harassment to the Title IX Coordinator promptly; including all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time, and location of the alleged incident.

### **Intake and Processing of Report**

#### **Receipt of Report**

After receiving a report of sexual harassment, the Title IX Coordinator will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Officer will discuss supportive measures with the Parties.

### **Timeframe for Reporting**

To promote timely and effective review, LTC strongly encourages individuals to report sexual harassment as soon possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the college can offer.

### **Supportive Measures**

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. LTC will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the college's education program or activities. These measures are designed to protect the safety of all Parties, protect the college's educational environment, or deter sexual harassment. The college will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the college to provide the service. Supportive measures may include counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

### **Removal of Respondent Pending Final Determination**

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. If necessary, the Title IX Coordinator may collaborate with the LTC Behavior Intervention Team to make this determination. The college has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

### **Emergency removal**

LTC may remove a non-employee Respondent from the college's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The college may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

LTC's Behavior Intervention Team Coordinator or designee will conduct the individualized safety and risk analysis.

If the Behavior Intervention Team Coordinator determines emergency removal is appropriate, he/she/they or designee will provide the person the college is removing from campus on an

emergency basis with a notice and opportunity to attend a meeting and challenge the basis of his/her/their removal. The Behavior Intervention Team Coordinator or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

### **Administrative leave**

LTC may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The college will follow any relevant policies, procedures, collective bargaining agreements, or State law in placing an employee on administrative leave.

## **Formal Complaint Grievance Process**

### **Notice to Parties**

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing, to the Parties:

- Notice of the LTC's Title IX grievance process.
- Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview.
- Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- Notice that the Parties may have Advisor of their choice, who may be, but is not required to be, an attorney.
- Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the college does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source.
- Inform the Parties of any provision in the college's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the college decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide notice in writing of the additional allegations to the Parties.

### **Dismissal of Formal Complaint**

LTC must investigate the allegations in a formal complaint. However, the college must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure.
- If the conduct alleged did not occur in the college's education program or activity.
- If the conduct alleged did not occur against a person in the United States.

LTC has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations.
- If the Respondent is no longer enrolled or employed by the college.
- If there are specific circumstances that prevent the college from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.
- If the college dismissed the formal complaint or any allegations, the Title IX Coordinator shall simultaneously provide the Parties with written notice of the dismissal and reason. The college will also notify the Parties of their right to appeal.
- The college may commence proceedings under other policies and procedures after dismissing a formal complaint.

#### **Consolidation of Formal Complaints**

LTC may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

#### **Equitable Treatment of the Parties**

LTC's determination of responsibility is a neutral, fact-finding process. The college will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The college will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

#### **Statement of Presumption of Non-Responsibility**

The investigation is a neutral, fact-finding process. The college presumes all reports are in good faith. Further, the college presumes the Respondent is not responsible for the alleged conduct. The college makes its determination regarding responsibility at the conclusion of the grievance process.

#### **Bias or Conflict of Interest**

LTC's Title IX Coordinator, investigator(s), Decision-Maker, or any person designated by the college to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against

Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The college will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on the following:

- Definition of sexual harassment in this procedure.
- Scope of the college's education program or activity.
- How to conduct an investigation.
- Grievance process including conducting hearings, appeals, and informal resolution processes.
- How to serve impartially, including avoiding: prejudgment of the facts at issue; conflicts of interest; and bias.

### **Timeline for Completion**

LTC will undertake its grievance process promptly and as swiftly as possible. The college will complete the investigation and its determination regarding responsibility or the informal resolution process within 180 calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180 calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for college breaks or vacations, or due to the complexity of the investigation. The college will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion. A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping.

### **Role of Advisor**

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The college must provide an Advisor of its choice, free of charge to any Party without an Advisor in order to conduct cross-examination. If an Advisor fails to appear at the hearing, the college will provide an Advisor to appear on behalf of the non-appearing Advisor. To limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

### **Confidentiality Agreements**

To protect the privacy of those involved, the Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the college's grievance process. The confidentiality agreement restricts dissemination of any of the evidence subject to inspection and review or use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

### **Use of Privileged Information**

LTC's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally-recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

### **Investigations**

The Title IX Coordinator is responsible to oversee investigations to ensure timely resolution and compliance with Title IX and this procedure.

Both Parties have the right to have an Advisor present at every meeting described in this section.

### **Trained investigators**

LTC will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment and how the college's grievance procedures operate. The college will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

### **Gathering Evidence and Burden of Proof**

The college, not the Parties, has the responsibility to gather information and interview witnesses. When the investigator evaluates the evidence, he/she/they will do so using the preponderance of the evidence standard. After considering all the evidence gathered, the investigator will decide whether it is more likely than not that reported conduct occurred.

### **Notice of Investigative Interview**

LTC will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

### **Evidence Review**

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the college does not intend to rely in reaching a determination



regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the college will send to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

### **Investigative Report**

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the formal complaint.
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed.
- A summary of the testimony of each witness the investigator interviewed.
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents.
- A specific finding as to whether the allegations occurred using a preponderance of the evidence standard.
- A table of contents if the report exceeds ten pages.
- Any other information deemed appropriate by the college.

The investigator will not make a determination regarding responsibility. The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information he/she/they do not produce to the Parties. The investigator will provide this log only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

At least ten days prior to a hearing or other time of determination regarding responsibility, the college will send the investigative report to each Party and their Advisors, if any, the investigative report in an electronic format or a hard copy, for review and written response. The Parties will have at least ten days to submit a written response.

### **Hearing**

After completing an investigation and prior to completing a determination regarding responsibility, the college will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

**Notice**

If the college proceeds to a hearing, the college will provide all Parties written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

**Hearing Format**

LTC may provide a live hearing with all Parties physically present in the same geographic location or, at the college's discretion if either Party requests, the college may provide any or all Parties, witnesses, and other participants the ability to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real time.

LTC will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The college will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The college will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

**Decision-Maker**

The Decision-Maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-Maker on the basis of a conflict of interest, the Complainant or Respondent may request the Title IX Coordinator select a different Decision-Maker. The Complainant or Respondent must make this request to the Title IX Coordinator in writing at least five business days prior to the hearing.

The Decision-Maker may ask the Parties and the witness's questions during the hearing. The Decision-Maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker must receive training on issues of relevance, how to apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

**Presenting Witnesses**

LTC will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

### **Cross-Examination**

The college will permit each Party's Advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those questions challenging credibility. The Party's Advisor must conduct cross-examination directly, orally, and in real time. A Party may never personally conduct cross-examination.

Advisors may only ask relevant cross-examination and other questions of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker need not provide a lengthy or complicated explanation in support of a relevance determination. If a Party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not rely on any statement of that Party or witness in reaching a determination regarding responsibility. A Party or witness may also decline to answer a question, and the Decision-Maker cannot rely on any statement on which that Party or witness has declined to answer cross-examination questions. A Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

### **Determinations of Responsibility**

When the Decision-Maker makes a determination of responsibility or non-responsibility, the Decision-Maker will issue a written determination regarding responsibility, no later than 30 days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the college will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include the following:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures.
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, the methods used to gather other evidence. The procedural section should also discuss the dates and

how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing.

- Findings of fact supporting the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility.
- Conclusions regarding the application of the college's code of conduct to the facts.
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility.
- A statement of, and rationale for, any disciplinary sanctions the college imposes on the Respondent.
- A statement of whether the college will provide the Complainant with remedies designed to restore or preserve equal access to the college's education program or activity.
- The college need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. The college can inform the Respondent that it will provide remedies to the Complainant. However, the college will inform the Complainant of the sanctions against the Respondent.
- The college's procedures and permissible bases for the Complainant and Respondent to appeal.

LTC will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the college provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

### **Disciplinary Sanctions and Remedies**

LTC must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before the imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the college will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to the following:

- Providing an escort to ensure that the Complainant can move safely between classes and activities.
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area.
- Providing counseling services or a referral to counseling services.
- Providing a referral to medical services.
- Providing academic support services, such as tutoring.

- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record.
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include oral or written warning, required training or counseling, suspension (with or without pay), and/or discharge.

### **Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility**

A Complainant or Respondent may appeal the college's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within five business days from the date of the notice of determination regarding responsibility or from the date of the college's notice of dismissal of a formal complaint or any allegations.

### **Grounds for Appeal**

A different Decision-Maker secured via the DHA/WTCS MOU will serve as the Decision-Maker on Appeal. In filing an appeal of the college's determination regarding responsibility or the college's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome.
- New evidence was not reasonably available at the time the college's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome.
- LTC's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

### **Appeal Procedure**

If the Complainant or Respondent submit an appeal to the college, the college will complete the following:

- Notify the other Party in writing within 5 business days of receiving a Party's appeal.
- Allow the non-appealing Parties at least ten business days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome.

The appeal Decision-Maker will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 45 business days after the Decision-Maker on appeal

receives the response to the appeal or the last day to provide a response. The college will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the appeal Decision-Maker explaining the need for the extension and the proposed length of the extension. The Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

### **Informal resolution**

If the college determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The college will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The college must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the college does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

### **Retaliation prohibited**

LTC prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

### **Dissemination of Policy and Procedures**

The college will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the college.

When hired, employees are required to sign the employee handbook acknowledgment that they have received the handbook and are responsible for familiarizing themselves with its contents, and adhering to all policies and procedures of the College, whether set in the Handbook or

elsewhere. The college will place the signed handbook receipt and acknowledgment in each employee's personnel file.

### **Training**

LTC will provide training to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the college's education program or activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials used to train the college's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

### **File Retention**

LTC will retain on file for a period of at least seven years after closing the case copies of the following:

- The original report or complaint.
- Any actions taken in response to the complaint, including supportive measures.
- The investigative report including all evidence gathered and any responses from the Parties.
- The college's determination regarding responsibility.
- Audio or audiovisual recording or transcript from a hearing.
- Records of any disciplinary sanctions imposed on the Respondent.
- Records of any remedies provided to the Complainant.
- Any appeal and the result.
- Any informal resolution and the result.
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The college will make these training materials publicly available on its website.

Lakeshore Technical College will make these documents available to the U.S. Department of Education Office for Civil Rights upon request

### **Confidential Resources**

Confidential contacts are employees, designated by the college, who are prohibited from sharing student concerns regarding potential discrimination and misconduct. Healthcare professionals within Campus Institution and licensed counselors are confidential resources.

## Students

- LTC Licensed Professional Counselor, Kristi Irving 920.693.1663 or [kristi.irving@gotoltc.edu](mailto:kristi.irving@gotoltc.edu).

## Employees

- Employee Assistance Program: 866.451.5465

## **Non-Confidential Reporters**

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

### **Confidentiality**

Victims may request that directory information on file with the College be withheld by request to the Student Records office.

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, e.g., 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 or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics 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.



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

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

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

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

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

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

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, LTC 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 following:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred.
- information about how the institution will protect the confidentiality of victims and other necessary parties.
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community.
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures.

- an explanation of the procedures for institutional disciplinary action.

**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**

LTC complies with Wisconsin and Federal law in recognizing orders of protection and creating a Safety Action Plan accordingly for the victim.

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.

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

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

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Lakeshore Technical College will provide written notification to the complainant about accommodations available to them, including academic, 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 (e.g., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, College offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, 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... 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 and to receive assistance and/or changes to academic, transportation and/or working situations or protective measures, a victim should contact the Title IX Coordinator.

### **Training**

Sexual harassment and misconduct awareness and prevention training takes place during Welcome Week for new students. Additional programs and offerings are available through student activities. Resources and training materials can be found on the LTC web site and in other publications, such as the LTC Student Planner & Handbook. In accordance with LTC's mission and vision, as well as Federal guidelines, training about the policy and procedures regarding sexual

assault and relationship violence is available for all students and required for all faculty and staff. Best practices identified through the United States Department of Education and Violence Against Women Act will be used to develop awareness programs.

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

### **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.” 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. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt. The following are some ways to be an active bystander:

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

### **Risk Reduction**

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

- **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.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- **Walk with purpose**. Even if you don’t know where you are going, act like you do.
- **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably

isn't the best place to be.

- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- **Make sure your cell phone is with you** and charged and that you have cab money.
- **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **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.
- **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- **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.
- **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.
- **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.
- **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).
- If you need to get out of an uncomfortable or scary situation here are some things you can try include the following:
  - **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.
  - **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.
  - **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.
  - **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there

an emergency phone nearby?

- **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.

## **LTC Policy Application**

LTC's policy to address cases of alleged sexual misconduct is designed to do the following:

- Consider the rights of the complainant, the rights of the respondent, the safety of the community, and compliance with applicable laws and College policies.
- Conduct a timely, fair, impartial, and equitable investigation and adjudication process with thoroughness and respect for all involved parties.
- Protect the privacy of all parties to the extent practical, while balancing the need to perform an investigation, follow the procedures outlined below, comply with applicable law, and maintain campus safety.
- Provide appropriate remedies and sanctions to address the discriminatory effects of sexual misconduct on the complainant and others.
- Support the needs of the complainant and respondent in the areas of emotional and mental health, physical well-being, and safety from future violence or retaliation.

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

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

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

- Take immediate and appropriate steps to investigate what occurred.
- Take prompt and effective action to:
  - Stop the harassment.



- Remedy the effects of the behavior.
- Prevent the recurrence of said behavior.

## **Rights for All LTC Disciplinary Procedures for VAWA Offenses**

The College's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

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

### **Disclosures – FERPA Exemptions:**

The final results of a disciplinary proceeding will be disclosed to the alleged victim. This includes the charges, the finding, the sanction(s) related to the victim and the rationale for the decision.

LTC may not disclose the name of any other student, including the complainant or witness, without prior written consent of the student. More information on disclosure and re-disclosure limitations can be found in the Student Planner & Handbook.

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

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

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible.

## Community Resources

In addition to seeking support from internal confidential contacts, there are a number of community resources available to provide support. You can call or approach any of these people confidentially and tell them what happened. They will listen and explain your options. Talking to any of these people does not constitute reporting the incident to the College:

Sheboygan County Interfaith Organization 920.457.7272  
1251 Geele Ave.  
Sheboygan, WI 53083

Salvation Army 920.458.3723  
710 Pennsylvania Ave.  
Sheboygan, WI 53081

Safe Harbor Domestic Abuse Treatment Center 920.452.8611  
929 Niagara Ave.  
Sheboygan, WI 53081

Sheboygan Police Department 920.459.3333  
1315 N 23<sup>rd</sup> St.  
Sheboygan, WI 53081

The Crisis Center 920.459.3151  
1202 N 31st St.  
Sheboygan, WI 53081

Reach Helpline 920.457.1111  
2508 S 8th St.  
Sheboygan, WI 53081

Harbor House Domestic Abuse 920.849.7819  
107 S Side Shopping Center  
Chilton, WI 53014

InCourage (Domestic Violence Center) 920.684.5770  
300 Reed Ave.  
Manitowoc, WI 54220

Aurora Hospital-Two Rivers 920.794.5000  
5000 Memorial Drive  
Two Rivers, WI 54241

Aurora Hospital-Sheboygan 920.451.5000  
2629 N 7th St.  
Sheboygan, WI 53083

St. Nicholas Hospital-Sheboygan 920.459.8300  
3100 Superior Ave.  
Sheboygan, WI 53081

Holy Family Memorial Hospital 920.320.2011  
2300 Western Ave.  
Manitowoc, WI 54220

LTC Wellness Center-Nurses office 920.693.1111  
1290 North Ave.  
Cleveland, WI 53015

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

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

<https://www.justice.gov/ovw/sexual-assault> - Department of Justice

<https://www2.ed.gov/about/offices/list/ocr/know.html?src=ft> - Department of Education, Office of Civil Rights

## **Clery Act Addendum Requirements**

### **The Act**

- I. The Campus SaVE Act (the “SaVE Act” or “Act”) applies to almost all institutions of higher education since it is directed toward those that participate in financial aid programs under Title IV of the Higher Education Act of 1965. It became effective on March 7, 2013 as part of the Violence Against Women Reauthorization Act (VAWA) and amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (known as the Clery Act).
- II. The Act requires higher education institutes to report crime statistics and disclose security-related information in several ways:
  - a. It adds offenses involving domestic violence, dating violence, and stalking to the crimes that institutions must report and include in their annual security reports (ASR).
  - b. It expands the categories of reportable “hate crimes” to include those based on bias against gender identity or national origin.
  - c. The policy statements filed as part of the ASR must now include detailed descriptions of the institution’s internal procedures in cases of domestic violence,

dating violence, or stalking, as well as descriptions of its education and prevention programs.

### **Key Definitions**

When reporting offenses under the Clery Act, use the following definitions:

- I. **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 or intimate partner, 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 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.”

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.

- II. **Dating violence.** “Violence committed by a person—
  - i. who is or has been in a social relationship of a romantic or intimate nature with the victim; and  
where the existence of such a relationship shall be 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.
- III. **Stalking.** “Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - i. Fear for his or her safety or the safety of others; or
  - ii. Suffer substantial emotional distress.”
  - iii. For the purposes of this definition—
    - *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.

### **Sexual Assault.**

- An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is defined as the touching of the private parts of another person for the purposes 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** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

### **Wisconsin State Law Definitions**

#### **Wisconsin Statutes § 813.12 Domestic Abuse Restraining Orders and Injunctions:**

- (ag) "Dating relationship" means a romantic or intimate social relationship between 2 adult individuals but "dating relationship" does not include a casual 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.
- (am) "Domestic abuse" means any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver's care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s. 940.225 (1), (2) or (3).
4. A violation of s. 940.32.
5. A violation of s. 943.01, involving property that belongs to the individual.
6. A threat to engage in the conduct under subd. 1., 2., 3., 4., or 5.

**Wisconsin Statutes § 940.225 Sexual Assault**

- (1) FIRST DEGREE SEXUAL ASSAULT. Whoever does any of the following is guilty of a Class B felony:
  - (a) Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
  - (b) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.
  - (c) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- (2) SECOND DEGREE SEXUAL ASSAULT. Whoever does any of the following is guilty of a Class C felony:
  - (a) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
  - (b) Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.
  - (c) Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.
  - (cm) 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.
  - (d) Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
  - (f) 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.
  - (g) 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.
  - (h) 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.

- (i) 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 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.
- (j) Is a licensee, employee, or non-client 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.
- (3) THIRD DEGREE SEXUAL ASSAULT. 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.
- (3m) FOURTH DEGREE SEXUAL ASSAULT. 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.
- (4) Definitions.
  - (b) "Sexual contact" means any of the following:
    - (1) 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):
      - (a) 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.
      - (b) 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.
- (5) 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.
- (6) 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.

**Wisconsin Statutes § 940.32 Stalking**

(1) In this section:

(a) "Course of conduct" means a series of 2 or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:

1. Maintaining a visual or physical proximity to the victim.  
940.32(1)(a)2.
2. Approaching or confronting the victim.
3. Appearing at the victim's workplace or contacting the victim's employer or coworkers.
4. Appearing at the victim's home or contacting the victim's neighbors.
5. Entering property owned, leased, or occupied by the victim.
6. Contacting the victim by telephone or causing the victim's telephone or any other person's telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
- 6m. Photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subdivision applies regardless of where the act occurs.
7. Sending material by any means to the victim or, for the purpose of obtaining information about, disseminating information about, or communicating with the victim, to a member of the victim's family or household or an employer, coworker, or friend of the victim.
8. Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
9. 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.
10. Causing a person to engage in any of the acts described in subds. 1. to 9.

**Wisconsin Statutes § 968.075 Domestic abuse incidents; arrest and prosecution.**

(1) DEFINITIONS. In this section:

968.075(1)(a)(a) "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:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s. 940.225 (1), (2) or (3).
4. A physical act that may cause the other person reasonably to fear imminent engagement in the conduct described under subd. 1., 2. or 3.

Established 7/1/2015



## **Sex Offender Registry**

In accordance to the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offenders Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the LTC Police/Security Department providing a link to the Wisconsin Department of Corrections Sex Offender Registry.

This act requires that institutions of higher education issue a statement advising the campus community where law enforcement information provided by the state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in the state which the person is employed, carries a vocation, or is a student.

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 this registry. Follow the link below to access the Wisconsin Department of Corrections Sex Offender Registry Website: <http://offender.doc.state.wi.us/public/>.

## **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.

## **Clery Act Reportable Crime Definitions**

### **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.

### **Arson**

- Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

## **Burglary**

- The unlawful entry of a structure to commit a felony or a theft. This includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny, housebreaking or safecracking.

## **Criminal Homicide-Murder and Non-negligent Manslaughter**

- The willful (non-negligent) killing of one human being by another.

## **Criminal Homicide-Negligent Manslaughter**

- The killing of another person through gross negligence.

## **Motor Vehicle Theft**

- The theft or attempted theft of a motor vehicle.

## **Robbery**

- The taking or attempting to take anything of value from 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.

## **Sexual Assault**

- An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent." The following are included in the definition of sexual assault:
  - **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - **Fondling** is defined as the touching of the private parts of another person for the purposes 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** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

### **Consent**

- 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. Minors, persons suffering from mental illness or defect, and sleeping or unconscious persons are presumed unable to give consent. Failure to resist does not indicate consent. – Section 940.225 (4).

### **Dating Relationship**

- A romantic or intimate social relationship between 2 adult individuals but "dating relationship" does not include a casual 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.

### **Domestic Abuse**

- Any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver's care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common:
  - Intentional infliction of physical pain, physical injury or illness.
  - Intentional impairment of physical condition.
  - A violation of s. 940.225 (1), (2) or (3).
  - A violation of s. 943.01, involving property that belongs to the individual.

### **Stalking**

- "Course of conduct" means a series of 2 or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:
  - Maintaining a visual or physical proximity to the victim.
  - Approaching or confronting the victim.
  - Appearing at the victim's workplace or contacting the victim's employer or coworkers.
  - Appearing at the victim's home or contacting the victim's neighbors.
  - Entering property owned, leased, or occupied by the victim.

- Contacting the victim by telephone or causing the victim's telephone or any other person's telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
- Sending material by any means to the victim or, for the purpose of obtaining information about, disseminating information about, or communicating with the victim, to a member of the victim's family or household or an employer, coworker, or friend of the victim.
  - Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
  - Delivering an object to a member of the victim's family or household or an employer, coworker, or friend of the victim or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the victim.

### **Illegal Weapons Possession and Substance Law Violations**

- In addition to disclosing statistics for the aforementioned offenses, the Clery Act requires institutions to disclose both the number of arrest and the number of people referred for disciplinary action for the following violations:
  - **Drug Law Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. This also includes the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. The relevant substances include: opium or cocaine and their derivatives (morphine, heroine, codeine), marijuana, synthetic narcotics (manufactured narcotics which can cause true addiction – Demerol, methadone), and dangerous narcotic drugs (barbiturates, Benzedrine).
  - **Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of alcoholic beverages, maintaining unlawful drinking places, bootlegging, operating a still, furnishing liquor to a minor or intemperate person, underage possession, using a vehicle for illegal transportation of liquor, drinking on a train or public conveyance, and all attempts to commit any of the aforementioned.
  - **Weapon Possession Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. Encompassed in this violation also includes the use of or manufacturing of silencers, furnishing of deadly weapons to minors, aliens possessing deadly weapons, and attempts to commit any of the above.

- **Hate Crimes:** A Hate Crime is defined as the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

Along with any of the above offenses occurring as a result of a hate crime, LTC is responsible for reporting hate crimes as related to the following:

- Larceny/theft.
- Simple assault.
- Intimidation.
- Damage/vandalism to property.
- Any crime involving bodily injury to another.

## ON-CAMPUS CRIME STATISTICS FOR LTC

Category	Year	Cleveland	Manitowoc	Sheboygan	Lakeshore Culinary Institute	On Campus	Noncampus	Public Property	Total	Unfounded Crimes
Manslaughter	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Sex Offenses - Forcible	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Sex Offenses – Non-forcible	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Robbery	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Aggravated Assault	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Burglary	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Arson	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Liquor-Law Violations	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0

Category	Year	Cleveland	Manitowoc	Sheboygan	Lakeshore Culinary Institute	On Campus	Noncampus	Public Property	Total	Unfounded Crimes
Drug-Abuse Violations	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	1	0	0	0	1	0
	2019	0	0	0	0	0	0	0	0	0
Weapons Possessions	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Hate Crimes	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Theft	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Domestic Violence	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Dating Violence	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0
Stalking	2017	0	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0

LTC Police and Security Department maintains a Daily Crime Log which is available to the public for review, at the LTC Police and Security Department Office from 8 a.m. – 5 p.m. Monday through Friday, excluding holidays and via <https://gotoltc.edu/safety-security/daily-crime-log/index.html>.