



**EDGEWOOD COLLEGE**

**Security and  
Fire Safety Report  
2021**

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# 1. EDGEWOOD COLLEGE SECURITY DEPARTMENT

## A. DESCRIPTION OF SECURITY DEPARTMENT

The Edgewood College Security Department consists of a Security Director and full and part time officers. Many of the staff had former local, state, and federal law enforcement experience prior to joining the Edgewood Security Department. The Campus Assistance Center and the Transportation Department also report to the Director of Security.

The Security Department has the authority to enforce campus policies and regulations. The Security Department does not have the authority to enforce local, state or federal laws. The department is on duty year around, 24 hours per day, 7 days per week.

Edgewood College Security Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Edgewood College. The Edgewood Security staff also have the authority to enforce campus rules and regulations as well as issue parking tickets, which are billed to the accounts of students, faculty and staff.

The Security Department has a professional working relationship with the Madison Police Department. All crime victims and witnesses are strongly encouraged to immediately report crime to the Security Department and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime.

The Edgewood College CLERY Committee develops the Annual Security and Fire report. Copies are available upon request from the Security Department located in Weber Hall. The report covers the main campus at 1000 Edgewood College Drive and The Family Center at 8025 Excelsior Drive, Madison, WI.



Jack Leskovar – Director of Security and Risk Management

## DISCLOSURE OF CRIME STATISTICS

Edgewood College Clery compliance officer prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

- Publish an annual report containing three years of crime statistics and certain campus security policy statements.
- Disclose crime statistics for the campus, public areas immediately adjacent to campus a specific non-campus facility. These statistics are gathered from campus security, local law enforcement and other college officials who have significant responsibility for student and campus activities.
- Provide campus security alerts pertaining to crimes that have been committed and pose ongoing threats to students and employees.
- Disclose in a public campus crime log any reported crime occurring on campus or within the patrol boundaries on the campus security department. Campus Security maintains responsibility for preparing and distributing this report by October 1 of each year. The report is prepared in cooperation with other college departments and local law enforcement agencies. The Edgewood annual crime statistics can be viewed or copies of the report can be requested via e-mail at: [securityandtransportation@edgewood.edu](mailto:securityandtransportation@edgewood.edu) or by calling the campus security office at 608-663-3285.

The Edgewood College CLERY Committee compiles the Annual Security Report. Those members include Jack Leskovar (Director of Security and Risk Management) and Matthew Sullivan (Interim Vice President of Student Development). This report was completed on September 28, 2022.

## **B. LAW ENFORCEMENT RESPONSE**

Edgewood College is located within the Midtown Precinct District of the Madison Police Department. The Mid-Town District Precinct located at 4020 Mineral Point Road, Madison, WI 53705.

The non-emergency telephone number for the Midtown District is 608-229-8200. Dialing 911 can activate emergency service response. The 911 Center will usually dispatch the Madison Police Department in an emergency, but other agencies may respond depending on availability. The nearest law enforcement agency to the campus is the University of Wisconsin Police Department located at 1429 Monroe Street, Madison, WI 53711.

Edgewood College has a Memorandum of Understanding (MOU) between the Madison Police Department and the college. The MOU delineates the working relationship between the college and the police department detailing cooperation and response to requests for service between the two entities.

All responding police agencies can and do enforce state and local laws. The local responding law enforcement agency will contact the appropriate federal law enforcement agency should they be required to do so.

## **C. HOW TO REPORT A CRIME**

To report an incident, call the Security Department at 608-663-3285 (office) or 608-663-4321 (cell). The Security Department is located in Weber Hall. You may also call the Campus Assistance Center at 608-663-4444 or contact the Dean of Students Office at 608-663-2212, located in Predolin 215. For emergencies, you may also dial 911 for local law enforcement, the fire department, or fire rescue. After you call 911, please call the Security Department to notify them so the college can provide the responding units with assistance.

When the Security Department is notified, they will respond to your location, assess the situation, assist you with any needs you may have, and file an incident report (if applicable). All reports are forwarded to the appropriate campus authorities for follow up when applicable. Additional investigation or actions may occur after the initial response. All reports that meet the requirements of the CLERY Act are reported on the campus crime log. All victims involved in criminal incident will be encouraged to contact local law enforcement. In addition, you may report the crime to the following areas:

## **D. CAMPUS RESOURCES**

### **Campus Security/Risk Management**

Jack Leskovar, Director  
101 Weber Hall  
Phone – Office – 608-663-6901  
Security Cell – 608- 663-4321

### **City of Madison Police**

4020 Mineral Point Road Madison, WI 53703  
Emergency – 911  
Non-Emergency – 608- 229-8200.

### **Dean of Students Office**

Matthew Sullivan, Interim Vice President of Student Development  
215 Predolin  
608-663-2235

### **Financial Aid**

Kari Gribble, Associate Vice President for Enrollment Management  
210A DeRicci  
608-663-2305

### **Study Abroad & International Student Services**

Sara Liang, Director, Study Abroad and International Student Services  
341 Predolin  
608-663-2277

### **Security Operations/Risk Management**

Donald Sparby, Assistant Director  
101 Weber Hall  
Phone – Office – 608-663-3285

### **Transportation/Safety/Risk Management**

(This position is currently vacant)  
101 Weber Hall  
Phone – Office – 608-663-3285

### **Student Life/Residence Life Office**

Claire Mand, Director  
219A Predolin  
608-663-3228

### **Health Services**

Suzanne Wallace, Director of Health Services  
123B Dominican  
608-663-8334

### **Personal Counseling Services**

Megan Cobb-Sheehan, Director of Personal Counseling Services  
122B Dominican  
608-663-4148



**Associate Director of Student Life/Office of Student Involvement**

Hollie McCrea Olson  
242 Predolin  
608-663-2297

**Academic Dean's Office**

William Mangan, Provost & Academic Vice President  
222B DeRicci  
608-663-2862

**Title IX Coordinator/ Human Resources**

Arhelia Dalla Costa Behm, Vice President of Administration/Chief Human Resources Officer  
215A DeRicci  
608-663-2387

**Title IX Deputy Coordinator/Investigator**

Matthew Sullivan, Interim Vice President of Student Development  
215 Predolin  
608-663-2235

**Title IX Investigator**

Suann Saltzberry, Associate Director of Athletics  
136 Dominican  
608-663-3249

**Title IX Investigator**

Jack Leskovar, Director of Security/Risk Management  
101 Weber Hall  
Phone – Office – 608-663-6901  
Security Cell – 608- 663-4321

**E. CONFIDENTIAL REPORTING PROCESS**

If you are the victim of a crime and do not want to pursue action within the college or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Security or their designee of Edgewood College can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the safety of yourself and others. With such information, the college can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime in regards to a particular location, method, or assailant, and alert the campus community to potential danger. Reports disclosed in this manner are counted and disclosed in the annual crime's statistics for the institution.

If an individual does not wish to file a security or police report, victims or others can report crimes informally and confidentially and receive support and resources. This data is shared in aggregate form (with no identifying information) and is included in the college's annual crime statistics.

Edgewood College expects licensed counselors, including Sexual Assault Victim Advocates and pastoral counselors, to inform those they counsel of these procedures for reporting crimes on a voluntary, confidential basis for inclusion in crime statistics when appropriate.

Counselors are defined as:

**Pastoral Counselor**

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor**

An employee of an institution whose official responsibilities included providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

**G. CAMPUS CRIME LOG**

The Edgewood College Security Office maintains a daily log listing all crimes reported to the department. This log includes the nature, date, time and general location of each crime and disposition of the complaint, if known. The information is available for public inspection within two (2) business days of the initial report, except where law prohibits disclosure of such information, such disclosure would jeopardize the confidentiality of the victim, and/or there is an ongoing investigation.

**H. EDGEWOOD COLLEGE EAGLE ALERTS (EMERGENCY NOTIFICATIONS & EVACUATION PROCEDURES)**

The following procedures is used for emergency notifications to the campus community:

**Defining an Immediate Threat/Emergency:**

Incidents and/or events may necessitate the notification of faculty, staff and students collectively or within groups.

Edgewood College typically defines significant emergencies or dangerous situations that involve an immediate threat to the health or safety of students, employees or visitors on campus. An immediate threat may include any imminent or impending threat and some examples include serious health concerns (norovirus outbreak), extreme weather concerns (blizzards/tornado), armed intruder or bomb threat, nearby chemical or hazardous waste spill, or additional safety concerns.

**Confirming an Emergency:**

Emergencies are typically triaged in conjunction with key administrative units, such as College Administration, Environmental Health and Safety, Security Officers, and/or local first responder agencies. Upon confirmation of an emergency or dangerous situation, Edgewood College Security Office

or the Campus Assistance Center will immediately notify the campus community of the emergency or dangerous situation. Confirmation means that an institution official (or officials) have verified that a legitimate emergency or dangerous situation exists. Confirmation does not necessarily mean that all of the pertinent details are known or even available.

The Director of Security & Risk Management, or a designated Security Officer, has the responsibility to confirm an emergency, determine the appropriate content included in the Eagle Alert, and decide which segment of the campus community may be at risk. In other words, we have the flexibility to alert only a segmented population (or the entire campus community) that may be impacted by the emergency. When there is potential that a large portion of the campus community may be affected by a situation, the entire campus community will be notified. The Security Office will continue to assess the situation and issue additional notifications, if warranted.

### **Initiating the Eagle Alert System:**

Upon confirmation of an emergency, the Security Office or Campus Assistance Center 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 the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The Director of Security & Risk Management, or a designated Security Officer, are the Edgewood College “responsible authorities” and may consult internal stakeholders or external agencies to exercise professional judgement. When Eagle Alerts are issued, support from the Marketing & Strategic Communications Office will usually be ongoing and staff in this department will play an important role in keeping our campus community informed of the situation.

Eagle Alerts are typically issued through text messaging, campus email, social media, Edgewood.edu, and through the public address system. Oftentimes, many of the communications are overlapping to ensure information is disseminated quickly and reaches the largest mass possible. Some circumstances may require the use of fire alarms, phone trees, or other emergency procedures to ensure the safety of our campus. We have requested that members of the neighborhood association(s), high school officials & campus school sign-up for Eagle Alerts, so when incidents on campus affect the surrounding neighboring community, they will be notified. Parents and neighbors may receive additional information pertaining to the College on the Edgewood College homepage, [www.edgewood.edu](http://www.edgewood.edu).

### **Testing the Emergency Response & Evacuation Procedures:**

Annually, Edgewood College will schedule a test of the College’s Emergency Response & Evacuation Procedures, on a campus-wide scale, that contains tangible exercises and tests procedural operations. Security & Safety Committee (Security Office, Marketing & Strategic Communications, Environmental Safety, etc.) is responsible for the scheduling, coordination, and assessment of the test. The test will be used as an opportunity to engage all stakeholders involved in the procedures following an Eagle Alert and will be designed for the ongoing evaluation and assessment of the emergency plans and capabilities.

The Director of Security & Risk Management will document every test that happens on-campus with a description of the exercise, the date, time, and whether it was an announced or unannounced test.

### **Disseminating Emergency Response & Evacuation Procedures:**

Annually, the Director of Security & Risk Management will send a campus-wide email with a link to the College’s Emergency Response & Evacuation Procedures. The link will also be included on EC Today/Wingra Weekly at the beginning of the fall and spring semester.

## I. TIMELY WARNINGS

### **Defining a Timely Warning:**

All of us want to be alerted promptly to potentially dangerous criminal situations near our homes or workplaces so that we have both the time and the information necessary to take necessary precautions. The Security Department Issues Timely Warnings to alert the campus community to certain crimes that present a continuing threat to the campus community and to aid in the preventions of similar crimes. Known in the Clery Act as a “Timely Warning,” the intent of this is to warn of serious and on-going criminal incidents that represent a threat to the safety of students and employees, so that people can better protect themselves. Typically, Timely Warnings are directly associated with Clery Act based criminal incidents, although other crime categories may be issued on a case-by-case basis.

### **Issuing a Timely Warning:**

The Security Officer, in consultation with the Dean of Students Office, the Office of Human Resources, and the Marketing & Strategic Communications Office, issue Timely Warnings, as deemed appropriate. In incidents that do not rise to the threshold of issuing an Eagle Alert, but cannot wait for a meeting of all the aforementioned offices, the Security Department has full authority to develop the content of a timely warning and authorize dissemination. Timely Warnings will contain pertinent information about the criminal incident that has occurred and will include information that will promote safety and aid in the prevention of similar crimes. Timely Warnings are typically issued through email or posted throughout campus at the emergency notification boards and are issued on a case-by-case basis.

When issuing Timely Warnings, we will always consider the following factors:

- the nature of the crime
- the continuing danger to the campus community
- relevant geography to the campus (including places where students frequent)
- possible risk of compromising law enforcement efforts in investigating and/or solving a crime.

In cases where the victim of a crime is a person, or a student, we may not always include personal identifiable information in a Timely Warning due to information being protected under the Family Educational Rights and Privacy Act (FERPA).

A Timely Warning notice typically includes the following details:

- The date and time of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips)
- Suspect description when deemed appropriate and if there is sufficient detail
- Police and Security contact information
- Other information as deemed appropriate

Lastly, it is important to note that not all Eagle Alerts will result in a Timely Warning and not all Timely Warnings will result in an Eagle Alert. These two communication channels are significantly different and serve different purposes.

## J. INCIDENT COMMAND SYSTEM

Edgewood College utilizes the Incident Command System (ICS) for emergencies on the campus. The Incident Commander is the senior Security Officer on duty.

### **College Emergency Website**

Go to [www.edgewood.edu](http://www.edgewood.edu). There will be information provided on this website as soon as is feasible.

## K. SECURITY OF AND ACCESS TO CAMPUS FACILITIES

### **Access to the Residence Halls**

All doors leading to the living area of the residence halls are locked 24 hours a day. Residents are given access to their residence hall on their student ID card. Residents are responsible for their room key/student ID card and for keeping their room door locked. Residents must escort their guests at all times. Maintaining residence hall security is a shared responsibility of all residents. It is a violation of policy if residents are found to be loaning their student ID card or room key to anyone or propping open a security door. Residents are encouraged to contact Campus Security immediately at x4321 if they observe anyone in their living area who is unescorted or appears suspicious.

### **Access to Non-Residential Campus Facilities**

Non-residential campus facilities remain unlocked during business hours. Predolin Hall is accessible until 2am every day. However, hours do vary depending on the use of the building. For questions regarding building accessibility, contact the Campus Security Department or the Campus Assistance Center.

### **Safety Notice**

Doors on campus are not to be propped open. Anyone propping any exterior door or computer room door open without the permission of the campus security department and will be subjected to campus discipline.

## L. CAMPUS SECURITY AND SAFETY PROGRAMS

### **Student safe ride/safe walk escorts**

Should a student become concerned about their safety on campus, they may call Security for an escort between facilities.

### **Campus Video System**

Edgewood College has over 250 video cameras located in strategic points around campus to help provide a safer campus. The cameras have continuous recording capabilities and can store several weeks' worth of activity.

### **Card Access System**

The campus has a card access system that controls entry into our facilities. The residential halls are locked 24/7 and can only be entered by the use of an access card (swipe card). All other facilities are controlled for access during the periods that classes are scheduled. Access cards will only work on those areas that the user is authorized.

### **Public Address System (PA)**

The campus utilizes a public address system that allows the Campus Assistance Center or Security Department the ability to make audible messages during an emergency. The messages will be

broadcast within all campus facilities as well as within the vicinity of the exterior of facilities. Use of the PA system is for emergencies only.

### Siren System

The siren system will be activated primarily for severe weather-related events. Upon hearing the siren, go to the evacuation area located in the facility that you are in. Each building has at least one location to gather. Those locations are posted in each facility.

### Eagle Alert System

The Eagle Alert system is our emergency notification system – it is designed to provide vital information to the campus community in case of an emergency in the area. Edgewood College has the ability to message you (email and text) very quickly in an emergency, and can provide instructions on how to keep safe.

The system consists of text messages and e-mail. You must register to receive Eagle Alerts. To load this onto your phone, go to your phone’s app store, download RAVE Guardian, and select Edgewood College or use the QR code below:



## STAY CONNECTED AND SAFE

**DOWNLOAD** the **RAVE GUARDIAN** app to receive security alerts, call Security, or have access to other safety resources.



**RAVEGuardian**

Scan the QR code to download Rave Guardian in the Apple or Google Play store.

### Nightlock

This very simple device enhances your ability to secure a room regardless of existing locks. In the event that its use is necessary, simply remove the red Nightlock device from the wall box (photo 1), insert it into the door slot, and slide it down into the floor plate (photo 2). Nightlocks are currently available in classrooms and meeting rooms on the main campus.



### **Security Notification Boards**

These are located in each building primarily on the first-floor level. The boards are outlined in orange. When Campus Security is alerted to potential threats on and off campus (within several miles of campus, including the University of Madison Campus and the State Street/downtown Madison area), the Security Notices will be posted.

All Campus Security Systems are tested as part of a regular program. All testing is documented in a logbook located in the security office located in Weber Hall.

## **M. SAFETY TIPS**

### **Pedestrian Safety**

The Edgewood educational community also consists of a high school and a campus (K-8) school located on the grounds. During certain times of the day there are many vehicles bringing students to and from school, in addition to our college students coming and going. Please be careful as you navigate around the campus. Students are asked to follow the safety tips listed below.

### **Anti-theft tips:**

- Keep your residence hall door locked at all times
- Lock your office when it is not occupied
- Do not prop doors open
- Anchor valuable equipment
- Maintain a list of serial numbers of equipment
- Keep copies of any important papers or cards that are in your purse or wallet
- Do not give out any personal or financial information over the internet, e-mail account or by telephone without first verifying that the request is legitimate
- If your ID card is stolen, notify security immediately

### **Personal Safety in Your Car:**

- Always keep your car doors locked
- Check the back seat before entering
- Keep your vehicle properly maintained and at least a quarter tank of gas
- Put valuables in the trunk
- Always have a spare tire and jack
- If you feel that you are being followed, drive toward a well-lit public area, preferably a police station

### **Personal Safety:**

- Walk, exercise and park in well-lit areas
- Carry your keys in hand as you approach your car – swipe in hand as you approach home or

residence hall

- Be aware of your surroundings and the people around you
- Don't wear excessive amounts of jewelry (it will draw attention to yourself)
- Avoid ATM's in dark locations

## N. IDENTITY THEFT

Identity theft is a crime in which someone wrongfully obtains and uses another person's personal data in some way that involves fraud or deception, typically for economic gain. This personal data could be a social security number, bank account and credit card numbers, or other valuable identifying data.

With identity theft and fraud, which are often computer-aided, there are measures that can be taken to reduce or minimize the risk of becoming a victim. These measures can be taken by remembering the word "SCAM".

### **S**CAM

S - Be **STINGY** about giving out your personal information to others unless you have a reason to trust them. Limit the information on personal checks; don't have your Social Security, Driver's License or telephone numbers printed on them. If someone calls or sends an email with an "unbelievable" credit card offers or notification of an alleged "prize" being won, do not offer any personal data, but ask that they mail an application or written notification of some type. If one is received from a company, the Better Business Bureau can be contacted to determine whether the company is legitimate.

### **s**CAM

C - **CHECK** financial information regularly and examine records for any unrecognized/unauthorized transactions. If such transactions are noted, the banking institutions and credit card companies should be contacted immediately.

### **s**CAM

A - **ASK** periodically for a copy of your credit report. The three-principal credit-reporting companies are Equifax, Experian, and TransUnion. These three companies, as well as the United Federal Trade Commission, are accessible online.

### **s**CAM

M - **MAINTAIN** careful banking and financial records, as well as personal computer security. Computer security can be fortified by installing any number of spyware programs and firewalls. Changing passwords frequently and reducing file sharing also can aid in the security of private computers. Report any suspected identity theft or identity fraud to the police.



## O. HOW TO RESPOND TO A SHOOTER ON CAMPUS – LOCKDOWN POLICY

### LOCKDOWN POLICY

A crisis on campus may require Edgewood College to implement an emergency lockdown of specific areas of the entire campus. Edgewood College follows the Run, Hide, Fight active shooter protocol. A lockdown may be implemented in the face of a hazardous or life-threatening situation on campus or near campus. It is intended to limit access and hazards by controlling and managing staff and students in order to increase safety and reduce possible victimization. The safety of the students, faculty and staff of Edgewood College is of utmost importance. When an incident occurs that may jeopardize the safety of the college community, consideration will be made as to the best reaction to the emergency. When evacuation is impractical, a lockdown of buildings may be considered. If a lockdown is put in place and you are outside, it is recommended that you evacuate (RUN) to an off-campus area, away from the threat. Exterior and interior doors that are controlled by electronic means will be locked so as to restrict the movement of the intruder or shooter.

### PROCEDURE

#### **Run** – (Evacuate if possible)

- Have an escape route and plan in mind
- Leave your belongings behind
- Keep your hands visible
- Run in a zig pattern so that the shooter's aim is disrupted
- Do not run in a group. The larger the group the easier the (large) target is for the shooter

#### **Hide** – (If escape is not possible)

- Hide in an area out of the active shooter's view
- Block entry to your hiding place and lock the doors
- Use Nightlock device to barricade the door or stack furniture in a linear fashion (furniture must be placed from wall to door not stacked up in front of door)

#### **Fight** – (Take action)

- As a last resort and only when your life is in imminent danger
- Attempt to incapacitate the active shooter
- Act with physical aggression and throw items at the active shooter attempting to upset the plan and/or train of thought

### **CALL 911 WHEN IT IS SAFE TO DO SO.**

#### **How you should react when law enforcement arrives:**

- Remain calm and follow officers' instructions
- Avoid pointing, screaming and/or yelling
- Immediately raise hands and spread fingers
- Keep hands visible at all times when officers are entering the premises
- Avoid making quick movements toward officers such as attempting to hold on to them for safety
- Do not stop to ask officers for help or direction when evacuating, just proceed in the direction from which officers are entering the premises

**Information you should provide to law enforcement or 911 operators:**

- Location of the active shooter
- Number and type of weapons held
- Number of shooters, if more than one by the shooter/s
- Physical description of shooter/s
- Number of potential victims at the location

## 2. POLICIES AND PROCEDURES

### A. MISSING RESIDENT POLICY

In compliance with the “Higher Education Opportunity Act, P.L. 110-315, sec. 488, 122 Stat. 3301 (2008)” Missing Student Notification Policy and Procedures, it is the policy of the Office of Residence Life to actively investigate any report of a missing resident who is enrolled at the College and residing in on-campus housing. Each resident will be notified of the Missing Student Notification Policy and Procedures via the Residence Life Handbook.

For purposes of this policy, a student may be considered to be a “missing person” if the person’s absence is contrary to their usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student’s welfare.

Each resident, upon checking into their assigned room, is required via the Personal Data Card to identify the name and contact number of the individual(s), a primary contact and secondary contact, to be notified in case of an emergency or in the event that the resident is reported missing. In the event the resident is under the age of 18 or is not emancipated, the College is required to have the primary emergency contact be a custodial parent or guardian.

If a member of the College community has reason to believe that a student is missing, Security should be notified. Upon receiving notification, Security, Residence Life and other applicable college personnel will make reasonable efforts to locate the student to determine their state of health and well-being. These efforts may include, but are not limited to, checking the resident’s room, class schedule, friends, ID card access, locating the resident’s vehicle, and calling their reported cell phone number. As part of the investigation, the College reserves the right to make contact with emergency contacts to help determine the whereabouts of the resident.

If upon investigation by Security and Residence Life Staff, the resident has been determined by Security to be missing for at least 24 hours, the following will occur: Security will contact the

resident's designated emergency contact and will inform the appropriate law enforcement agency within the next 24 hours. Investigation will continue in collaboration with law enforcement officers as appropriate.

## **B. EDGEWOOD COLLEGE FIREARMS POLICY**

Possession of weapons, whether concealed or unconcealed per Wisconsin law, on campus and/or at College-sponsored events is prohibited. This includes illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others, including, but not limited to guns, paint ball guns, pellet guns, BB guns, Airsoft guns, arrows, nun chucks, knives with blades longer than three inches, swords, shells, shell casings, and plastic or metal pellets, metallic knives, explosives, or any other device which, in the manner it is used or intended to be used is calculated or likely to produce bodily harm.

## **3. SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING POLICY**

### **Policy Statement**

Members of the Edgewood College community, guests, and visitors have the right to be free from all forms of sex/gender harassment, discrimination and misconduct, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The College believes in zero tolerance for sex/gender-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including serious sanctions when a responding party is found to have violated this policy. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.

Edgewood College policy specifically prohibits all forms of sexual misconduct and relationship violence including but not limited to:

1. Sexual harassment
2. Non-consensual sexual contact (or attempts to commit same)
3. Non-consensual sexual intercourse (or attempts to commit same)
4. Sexual exploitation

5. Dating, Domestic, or Relationship violence
6. Stalking

For the legal definitions of sexual assault, dating violence, stalking and consent in Edgewood College's jurisdiction, the state of Wisconsin, please see the chapter in this document entitled, "State of Wisconsin Crime Statutes and Definitions."

## A. EDUCATIONAL AND PREVENTION SERVICES

### **Sexual Assault, Domestic Violence, Dating Violence, and Stalking Prevention and Awareness Programs Provided During 2021.**

Edgewood College is dedicated to the education and prevention of gender-based violence. Primary prevention includes programming, initiatives, and strategies informed by research that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur. This can be through the promotion of behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms. Ongoing educational and awareness efforts at Edgewood College also contain information about support services available to victims, reporting options and procedures for institutional disciplinary action, and risk reduction.

All Sexual Assault, Domestic Violence, Dating Violence and Stalking Prevention classes were presented on line to students with the exception of fall 2020 transfer Orientation which was presented in person to all transfer students. The on-line training courses consisted of the following.

#### **Think About It: Campus SaVE (The Campus Sexual Violence Elimination Act) and Adult Learners**

This is an online Title IX training program offered to all incoming freshmen, graduate and transfer students.

#### **Bridges: Building a Supportive Community**

This is an online training program offered to all new faculty and staff. It covers how to identify and report different types of sexual misconduct committed against students. It also includes ways to prevent sexual violence and maintain a safe community.

#### **Orientation Programming**

All first-year students received training on bystander intervention, healthy relationships, and consent during orientation. Orientation Leaders (student leaders who assist freshmen during the orientation process) also received advanced training on the Step UP! Bystander intervention program.

#### **Step UP! Bystander Intervention Program**

In addition to Step UP! being included in freshman orientation, training took place for all Residence Life Apartment Coordinators and RA's. Residence Life also designated one Apartment Coordinator as the "bystander intervention liaison" to receive advanced training and to facilitate programming in the residence halls throughout the academic year. All resident students had the opportunity to participate in this additional programming if desired.

**Promoting Awareness, Victim Empowerment (PAVE)**

PAVE is a recognized student organization at Edgewood College that focuses on sexual violence prevention and supporting survivors. The director of Personal Counseling Services serves as the staff advisor for this organization. During 2018, PAVE held member meetings on a biweekly basis and offered the following programs or awareness campaigns to all interested students.

**Bystander Intervention Program for Faculty and Staff**

The college's Violence Prevention Team and PAVE collaborated on a bystander intervention presentation for faculty and staff as part of the college's "Diversity Benefits Everyone" series. A promotional event was also held the week prior in which Edgewood College faculty, staff, and students, could wear a safety pin to indicate that they are a "safe" support person for survivors.

**Domestic Abuse Awareness Month event**

Staff from Madison's Domestic Abuse Intervention Services (DAIS) presented to students about awareness and prevention of dating violence and stalking.

**Conversations about #MeToo**

Staff from Personal Counseling Services and the Rape Crisis Center facilitated a student discussion on the #MeToo movement and sexual violence.

**Judicial Board Member Training** - Training was held for the college's Judicial Board Members by the Dane County Rape Crisis Center.

## B. RESOURCES

Students and employees who experience sexual assault, domestic violence, dating violence, and/or stalking have many options and services available to them on and off campus, including mental health counseling, victim advocacy, employee assistance and access to the criminal and campus disciplinary systems. Services are available to victims regardless of whether or not they choose to report the incident to law enforcement, and most services are available at no charge.

The campus and surrounding community have a wide range of services available to help student victims. This information is provided as part of prevention education efforts.

When a student or employee reports to Edgewood College that they have been a victim of sexual assault, domestic violence, dating violence or stalking, whether the offense occurred on or off campus, Edgewood College will provide the student or employee with written notification of the students or employee's rights and options.

## C. PROCEDURES FOR REPORTING

As a victim of sexual violence, the first priority should be to get to a place of safety and obtain any necessary medical treatment. Edgewood College strongly advocates that a victim of sexual violence reports the incident in an immediate and timely manner. Time is a critical factor for evidence collection and preservation.

A victim has the right and is encouraged to notify the appropriate law enforcement agency to report sexual assault, domestic violence, dating violence and/or stalking. Victims have the right to be assisted by campus authorities in notifying law enforcement if the victim chooses. Victims also have the right to decline to notify both campus and law enforcement officials. If the crime occurred on Edgewood property, Security and the Madison Police Department have jurisdiction. If the crime occurred off campus, the victim can notify the appropriate local law enforcement agency with jurisdiction at the location of the crime. Security will help the victim in identifying the correct law enforcement agency and will assist the victim in reporting to that agency. Victims have the right to NOT notify law enforcement or report the crime if they choose.

A report of sexual assault, domestic violence, dating violence and stalking may be reported to:

**1. Report to Law Enforcement and Security**

Madison Police Department - Central Headquarters

211 South Carroll Street, Madison, WI

608-261-9694 (non-emergency) or

911

Madison Police Department -

Mid- Town District Precinct

located at 4020 Mineral Point Road

608-229-8200 (non- emergency or

911 - Emergency

Filing a Police report with the Madison Police Department or other jurisdictional law enforcement agency will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgment from the officer.

**2. To Report to Edgewood College**

Edgewood College Security

Weber Hall

608-663-4321 (cell) or 608-663-3285 (office)

For Students – Dean of Students Office

215 Predolin

608-663-2212

For Employees – Employee Relations Manager/Human Resources

215A DeRicci

608-663-2387

For Title IX Violations –Arhelia Dalla Costa Behm, Title IX  
Coordinator 215A DeRicci  
608-663-2387

The Title IX Coordinator oversees the process for addressing sexual misconduct and relationship violence complaints at the College. The Title IX Coordinator serves as a neutral administrator and resource to students and employees to answer questions, to coordinate reporting and handling of complaints, to review internal disciplinary proceedings and remedies, and to provide education, training, and guidance to personnel involved with investigations and disciplinary proceedings.

**Confidential Support Contacts.** Confidential Support Contacts are not obligated to investigate or report information, even though these individuals may otherwise be considered “responsible employees.” Complainants can call or approach any of the following professional staff confidentially and inform them about what happened. They will listen and explain options. Talking to any of the following people does not constitute reporting the incident to the College:

Edgewood College has designated the following individuals as Confidential Support Contacts:

- Personal Counseling Services: Dominican 122 | 608-663-4148
- Health Services: Dominican 122 | 608-663-8334
- Associate Vice President for Dominican Life and Mission: Predolin 222 | 608-663-3451
- Rape Crisis Center Advocate: Dominican 122 | 608-251-7273

Additionally, EthicsPoint hosts the College’s anonymous reporting system. This service allows the College to communicate with the person making the report while maintaining confidentiality and if desired, anonymity. Reports can be made by victims/survivors and/or third parties using the online reporting form posted at:

[https://secure.ethicspoint.com/domain/en/report\\_custom.asp?clientid=16096](https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=16096).

The Director of Human Resources and Title IX Coordinator will receive the information contained in the anonymous report and will determine any appropriate response or action, including individual or community remedies as appropriate. In consultation with the Director of Campus Safety and Security, the Title IX Coordinator will determine if the anonymous report provides sufficient information to submit a Clery crime report.

### 3. Off-Campus Confidential Resources

#### **Sexual Assault Nurse Examiner (SANE)**

202 S. Park Street, Madison, WI, 53715  
608-417-5916

[www.Meriter.com/Services/Sexual-Assault-Nurse-Examiner-Program](http://www.Meriter.com/Services/Sexual-Assault-Nurse-Examiner-Program)

#### **Domestic Abuse Intervention Services (DAIS)**

24-hour line: 608-251-4445 or toll-free at 1-800-747-4045

[www.abuseintervention.org](http://www.abuseintervention.org)

#### **Rape Crisis Center (RCC)**

2801 Coho Street #301, Madison, WI, 53703

24-hour line: 608-251-RAPE (7273)

[info@danecountyrc.org](mailto:info@danecountyrc.org)

[www.danecountyrc.org](http://www.danecountyrc.org)

**Deaf Unity**

[help@deafunitywi.org](mailto:help@deafunitywi.org)

Text helpline: 608-466-2881 M-F 9am-10pm

<http://deafunitywi.org>

**Freedom, Inc.**

601 Bay View, Madison, WI, 5371

608-661-4089 M-F 9am-5pm

[refugeeproject@hotmail.com](mailto:refugeeproject@hotmail.com)

**UNIDOS against Domestic Violence**

1-800-510-9195

<http://www.unidosagainstdv.org39>

**RAINN (Rape, Abuse & Incest National Network)**

Online hotline: <https://hotline.rainn.org/online/terms-of-service.jsp>

800-656-HOPE (4673)

When reporting sexual assault, domestic violence, dating violence and/or stalking, please note the following:

- The preservation of evidence may strengthen investigations, which may result in a better chance of holding the accused responsible or obtaining a restraining order. (Evidence may include the clothing the victim was wearing at the time, a record of threatening text messages and e-mails, or bodily fluids.) The Meriter Hospital Sexual Assault Nurse Examiner (SANE) Program (608-417-5916) can provide forensic medical exams at no cost, even if the victim chooses not to report to law enforcement.
- Although it is best not to shower, even if the victim has showered and changed clothes, the victim can still file a police report and/or receive a medical exam.
- Campus officials are required to provide the victim with information about their options and assist in contacting law enforcement personnel if requested by the victim.
- Filing a report will generally involve an interview with a law enforcement officer, Campus Security Officer, or an investigating officer from the Dean of Students Office (or both if you choose to report to both agencies). Victims may request an officer of the same gender to take their account.
- Staff can serve in an advocacy role for victim interests and needs, and will discuss options and procedures regarding academic assistance, housing, and safety. Referrals are provided as needed for medical assistance, psychological counseling, legal advocacy, and other resources.

**4. The Responsibility of Faculty and Staff to Report Sexual Harassment, Misconduct or Violence**

Under Title IX, all Edgewood College faculty and staff, except for employees who provide or



support the provision of advocacy, counseling, health, mental health, or sexual assault-related services are expected to report incidents of sexual harassment, sexual misconduct or sexual violence to the campus

Office of Compliance  
Title IX Coordinator  
Arhelia Dalla Costa Behm  
Director of Human Resources  
215A DeRicci - 608-663-2387

Before a student reveals information that they may wish to keep confidential, employees should make every effort to ensure that the student understands: (i) the employee's obligation to report the names of the alleged perpetrator and students involved in the alleged sexual violence, as well as relevant facts regarding the alleged incident (including the date, time, and location), to the Title IX Coordinator or other appropriate school officials; (ii) the student's option to request that the school maintain their confidentiality, which the school (e.g., the Title IX coordinator) will consider; and (iii) the student's ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual assault related services (e.g., Health Services, Personal Counseling Services, and the Rape Crisis Center).

#### **5. No Contact Orders Issued by the Dean of Students Office**

Staff members of the Dean of Students Office approach their work in a proactive manner whenever possible. There are times in which students seek our assistance, guidance, and support involving a variety of complex situations, including but not limited to: relationship struggles, victimization, safety concerns, privacy concerns, bias incidents, criminal investigations, and court-ordered restraining orders. One tool the Dean of Students Office uses to support a safe, respectful, and responsible educational environment, either as a proactive measure or in response to and prevention of additional incidents, is a no contact order

The College will consider all facts and circumstances that may be relevant to whether a No Contact Order (NCO) should be issued, including, but not limited to, the following factors:

- When there are allegations, threats, or evidence of physical violence by one student against another.
- When there are allegations, threats, or evidence of emotional abuse or harassment by one student of another.
- When there is a substantial risk of emotional harm from continued contact between students.
- When continued contact between students may have a material impact on campus disciplinary proceedings.
- When requested or agreed to in good faith by both students involved.
- When there are allegations of college policy violations.

All NCOs shall provide that neither student may have contact with the other. "Contact" includes, but is not necessarily limited to, in-person contact, telephone calls, email, texts and other forms of electronic communication, social media-based messages or postings, and third party communications including through proxies.

NCOs may include additional protective measures or other terms specific to the safety, well-being,

or other needs of either or both students subject to the NCO, when deemed necessary by the College. Any additional terms shall be expressly stated in the NCO. Additional protective measures or other terms need not be reciprocal. They may include, but are not limited to, the following:

- Restricting a student from being in close proximity to the other student;
- Restricting a student's access to certain campus locations, including the other student's residence hall;
- Restricting the times, a student may be present in on-campus dining facilities;
- Requiring that the students not be enrolled in the same academic course(s); and
- Requiring that the students not participate in the same co-curricular or extra-curricular activities.

Each NCO will remain in effect until the graduation or withdrawal of at least one of the parties, unless the NCO expressly provides otherwise or if it is modified or rescinded by the College. A student seeking the modification or rescission of an NCO shall so request the administrator who issued the NCO. The issuing administrator shall consult with both parties before determining whether or not to modify or rescind the NCO.

No Contact Orders are not considered sanctions, and may remain in place after the student conduct process, as determined by the Assistant Vice President of Student Developments/Director of Student Conduct.

Violations of No Contact Orders are subject to discipline under the Student Code of Conduct.

Students who have interpersonal conflicts that do not raise concerns for individual health and safety will not be granted NCOs. These individuals should pursue other forms of conflict resolution, such as mediation or restorative justice, offered through the Dean of Students Office.

## **6. Notice of Accommodations**

Students and employees who report sexual assault, domestic violence, dating violence or stalking to Edgewood will receive written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.

Students and employees who report sexual assault, domestic violence, dating violence or stalking to Edgewood will receive written notification of rights, options and information about available assistance in and how to request changes to academic, living, transportation, working situations and protective measures. This will be provided whether the offense occurred on or off campus. Edgewood will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Edgewood College 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 Edgewood College to provide accommodations or protective measures.

The Dean of Student Office can provide information and assistance to those requesting

accommodations and changes to academic, living, transportation, working situations and other protective measures.

For victims who choose to not report to law enforcement and/or to a campus office, there are several options available. These options allow a victim who is 18 or older to get help without having their name or information shared with campus officials, third parties or law enforcement to the extent permissible by law. Please be aware that exceptions to confidentiality include reports of child abuse (victims 17 or younger), elder abuse, and threats of imminent harm to self or others.

## **7. Edgewood College and Protecting Victim Confidentiality**

When a student or employee victim reports to an office or official who is not explicitly designated as confidential, Edgewood College takes every precaution to protect victim privacy and confidentiality by sharing information only with college officials who have a legitimate educational interest and/or those who need to know for the purposes of institutional response.

In an effort to protect victim safety and privacy, Edgewood College maintains information about sexual violence in a secure manner. If the College has notice of an incident, Edgewood College will balance the victim's request to keep identifying information confidential with Title IX's mandate to investigate hostile environments.

To the extent permissible by law, Edgewood will endeavor to keep victim information private. However, once a report is made to the College, or the College has notice of an incident of sexual assault, domestic violence, dating violence, or stalking, confidentiality cannot be guaranteed unless that information is reported directly to one of the confidential resources listed. Edgewood will strive to maintain as confidential any accommodations or protective measures provided to the victim, but keeping victim information confidential may limit Edgewood's ability to provide accommodations or protective measures.

For victims aged 18 and older who report to non-confidential sources, relevant information will be shared only with those who need to know, such as Title IX Coordinators and Deputy Coordinators, complaint investigators, and other individuals who are responsible for handling the school's response to incidents of sexual violence. In the case of minors, Edgewood College employees must report child abuse to Child Protective Services or local law enforcement.

For Clery Act reporting and disclosures, a victim's name or identifying information will never appear in a Crime Warning, on the Daily Crime Log or in the ASR. Edgewood will redact a victim's identifying information when responding to requests for information pursuant to the Wisconsin Public Records law, which governs the disclosure of student education records. The College also will not disclose identifiable information about research subjects if prohibited by an NIH-issued Certificate of Confidentiality, HIPAA regulations and state laws pertaining to the privacy of health information or promises of confidentiality made to research subjects pursuant to the federally required consent form and authorization form. Edgewood must respond to court ordered subpoenas that are not prohibited by other applicable law, and may not be able to redact information when responding to a subpoena.

Victims have the option to access confidential resources such as Personal Counseling Services, Health Services, a Sexual Assault Nurse Examiner, Domestic Abuse Intervention Services, the Rape Crisis

Center, and the Employee Assistance Office. Healthcare providers and mental health counselors employed by the College follow the confidentiality requirements of their profession when providing care to a student or patient. Additionally, staff from the college's Accessibility & Disability Services, as well as interpreters, do not disclose reports of prior victimization that they become aware of as part of the disability accommodation process or when providing translation services.

**Disclosures to Alleged Victims of Crimes of Violence or Non-Forcible Sex Offenses** - Edgewood College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Edgewood College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## **D. INSTITUTIONAL PROCEDURES IN RESPONSE TO A REPORT OF ALLEGED DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING**

The procedures described in this policy are not intended to emulate legal proceedings but to advance the non-criminal resolution of an institutional disciplinary complaint, including, but not limited to fact finding investigations, formal or informal meetings, and hearings.

### **Time Frame**

Upon receiving a report, Edgewood College will respond promptly, equitably, and thoroughly to all incident reports. Both the complainant and the respondent are entitled to the same opportunities to have others present during the student conduct process. Both parties will be given periodic status updates during the investigation and both the complainant and the respondent will be given notice of the outcome and an opportunity to file an appeal, if applicable. Absent unusual circumstances, sexual misconduct investigations as well as hearings are expected to be completed within 60 calendar days following receipt of the complaint. In the event of a law enforcement investigation, College student conduct processes may be temporarily delayed for police fact gathering.

### **Investigation and Notice of Outcome**

Every investigation of sexual misconduct and/or relationship violence will be adequate, reliable, impartial, and prompt and include the opportunity for all parties to present witnesses and other evidence. The investigation may include, but is not limited to, conducting interviews of the complainant, the respondent, and any witnesses; reviewing law enforcement investigation documents, if applicable; reviewing student and personnel files; and gathering and examining other relevant documents or evidence. In the event of a law enforcement investigation, College student conduct processes may be temporarily delayed for police fact gathering.

Both the complainant and respondent are strongly encouraged to cooperate during the investigation for the College to be able to determine an accurate outcome. The College will protect the identity of the complainant to the greatest extent possible by using alternative means of identification. Personally

identifiable information (PII) will not be shared unless the complainant gives express consent to do so. Personally identifying information (PII) is defined in Section 40002(a) of the *Violence Against Women Act of 1994* as *individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including:*

- *a first and last name;*
- *a home or other physical address;*
- *contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);*
- *a social security number, driver's license number, passport number or student identification number; and*
- *any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.*

Following is a general timeline of how the College addresses reported allegations of sexual misconduct or relationship violence:

1. An incident is reported to a Reporting Contact or the Title IX Coordinator.
2. The Assistant Vice President of Student Developments/Director of Student Conduct or a designee may initiate an Emergency Action and/or a No-Contact Order depending on the type and/or severity of the alleged incident.
3. The Title IX Coordinator meets with a team of investigators to discuss overall case, strategy and timeline of investigation.
4. Notices of incident, interviews and investigation are sent to the involved parties.
5. The Investigation Team conducts a prompt, thorough and impartial investigation. At least two investigators are assigned to the case. The Investigation Team will meet with the complainant and respondent as a part of the investigation.
6. The Investigation Team meets to finalize the investigation and provide recommendations to the Assistant Vice President of Student Developments/Director of Student Conduct.
7. If the recommendation is to proceed with adjudication, the Assistant Vice President of Student Developments/Director of Student Conduct acknowledges the incident and assigns a Student Conduct Officer to determine the outcome of the case. The Student Conduct Officer sends information about the student conduct process to the complainant and respondent.
8. If there is insufficient relevant information available to make a determination, the case is closed, with notice of this action sent to the involved parties. The Title IX Coordinator for future use as needed maintains all records.
9. The complainant and respondent are entitled to an advisor of their choosing to assist, support, and accompany them throughout the student conduct process. The advisor may be a friend, mentor, family member, attorney, or any other supporter a party chooses to advise them who is both eligible and available. Witnesses or other parties directly involved in a case may not serve as advisors. Complainants and respondents may elect to change advisors during the process,

and are not locked into using the same advisor throughout. If a party is unable to obtain an advisor, the Assistant Vice President of Student Developments/Director of Student Conduct will offer to assist the complainant and/or respondent in identifying an advisor. See the section on Student Conduct Process Advisor for more information.

10. The parties are concurrently notified, in writing, about the outcome of the student conduct process and any subsequent appeals involving alleged violations of this policy.
11. Either party may elect to appeal the decisions and sanctions rendered by the office managing the complaint, following the process outlined in the Appeals section.
12. If there is no appeal, or upon conclusion of the appeal process, the imposed sanction takes affect within one business day unless other arrangements are made with the Assistant Vice President of Student Developments/Director of Student Conduct.
13. Proceedings, not including appeals, are ordinarily completed in no more than 60 days from the date the incident is reported. In the event of a law enforcement investigation, College student conduct processes may be temporarily delayed for police fact gathering.

Edgewood College uses the student conduct process to meet Title IX obligations, so sanctions must eliminate the hostile environment, and prevent its recurrence. Additionally, the College gives the complainant any rights that it gives to the respondent. Specifically:

- Throughout the investigation, the parties have an equal opportunity to present relevant witnesses and other evidence.
- The College uses a preponderance of the evidence standard in Title IX proceedings, including any fact-finding and hearings.
- If one party has lawyers or other advisors at any stage of the proceedings, the other party will be given the same opportunity. Any school-imposed restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings also apply equally. The cost of legal counsel is to be borne by the student.
- If applicable, third-party expert testimony will be considered from both parties.
- Both parties are entitled to appeal the outcome of the student conduct process.
- Both parties are notified, in writing, of the outcome of both the student conduct process and any appeal. (Regardless of which party files for an appeal, both the complainant and the respondent will be informed of the status of the appeal request, processing and outcome.)
- The respondent will be notified in writing of the guidelines and process for reinstatement, if applicable.

#### **Sanctions for Sexual Misconduct**

- Any student found responsible for non-consensual sexual contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous disciplinary violations. \*
- Any student found responsible for non-consensual sexual intercourse will likely face a sanction of suspension or expulsion. \*
- Any student found responsible for sexual exploitation or sexual harassment will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the

incident, and taking into account any previous disciplinary violations. \*

\*The College reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial disciplinary officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

### **Appeals**

Either the complainant or the respondent can appeal outcomes of student conduct proceedings. Appeals must be made in writing within five business days after receiving the decision. See the Appeals section for more specific information on the appeals process.

### **Standard of Evidence**

Edgewood College uses a preponderance of the evidence standard to evaluate complaints. A preponderance of the evidence means that the statements and information presented in the case must indicate to a reasonable person that it is more likely than not that, the Respondent committed a violation. Both the complainant and the respondent will have an equal opportunity to present relevant witnesses and other evidence. Both parties will be afforded similar and timely access to any information that will be used to determine the outcome. Information about a person's prior sexual behavior or history will not be considered to determine whether a violation has occurred. However, information regarding a prior intimate or sexual relationship between the parties may be considered relevant depending upon the issues presented in any disciplinary proceeding.

### **Protective Measures**

During the investigation and until a resolution, interim measures may be taken to prevent reoccurrence and protect both parties. Failure to adhere to any of the interim measures taken during an investigation is a violation of policy and may lead to additional disciplinary action(s). Interim measures that may be imposed include but are not limited to:

Change in academic and living situations if requested and reasonably available, for the complainant or the respondent.

- Change in living situation on an interim or permanent basis regardless of whether the complainant requests such a change.
- Transportation assistance or security escorts.
- Court-ordered No Contact Order between complainant and respondent. Edgewood College students or employees who are issued a court-ordered No Contact Order, restraining order, or similar relief should contact the Campus Security Director. The Campus Security Director will notify appropriate College officials and relevant parties to coordinate compliance. Examples of steps that may be taken to comply with such orders include changing class schedules and living arrangements.
- College-issued No Contact Order between complainant and respondent. College administrators are authorized to issue a No Contact Order (NCO) prohibiting contact between students when there exists a reasonable concern that physical or psychological harm may result from such

contact.

### **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, living, or work environment. Depending on the circumstances, retaliation may be unlawful and may constitute a violation of this policy, whether or not the complaint is ultimately found to have merit. Any attempt by a faculty member, employee or student to penalize, threaten, coerce, intimidate, discriminate, or retaliate in any way against a person who makes a report of or who is otherwise involved in a report of sexual misconduct is completely prohibited and will not be tolerated. Individuals who believe that have been a victim of retaliation during an investigation should contact the Title IX Coordinator.

### **Additional Policy Provisions**

- a. Attempted violations - In most circumstances, the College will treat attempts to commit any of the violations listed in the Sexual Misconduct and Relationship Violence Policy as if those attempts had been completed.
- b. False Reports – The College will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.
- c) Amnesty for Victims and Witnesses - The College community encourages the reporting of misconduct and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report to college officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to college officials, and that witnesses come forward to share what they know. To encourage reporting, the College pursues a policy of offering victims of misconduct and witnesses amnesty from minor policy violations related to the incident.



## 4. WISCONSIN SEXUAL ASSAULT LAWS

Wis. Stat. 940.225: Sexual Assault

### A. CRIME STATUTES AND DEFINITIONS

The Clery Act and the Violence against Women Act mandate that Edgewood College provide domestic violence, dating violence, sexual assault and stalking definitions applicable in its jurisdiction. Wisconsin statutes recognize that sexual assault, domestic violence, dating violence, and stalking are serious criminal offenses. It is important for all members of the Edgewood community to understand how these offenses are defined in law and to be aware of the penalties. Excerpted below are the definitions and penalties of sexual assault, domestic/dating violence and stalking. Also included are the definitions of consent, sexual contact, and sexual intercourse.

Wisconsin statutes delineate guidelines for the use of evidence in court. Wisconsin Statutes section 972.11 prohibits the use in court of evidence of the victim's past sexual conduct. There are three exceptions to this prohibition. The judge may allow evidence of the victim's past conduct with the assailant; evidence that could show the source or origin of semen, pregnancy or disease; or evidence of prior untruthful allegations of sexual assault made by the victim. Recent revisions in the law have allowed further exceptions to be made at the judge's discretion. For more information on Wisconsin state law visit: <http://legis.wisconsin.gov/rsb/stats>.

### B. SEXUAL ASSAULT - WIS. STAT. S. 940.225:

#### **First Degree Sexual Assault**

Whoever does any of the following is guilty of a Class B felony:

- Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
- Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a dangerous weapon.
- Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.

#### **Second Degree Sexual Assault**

Whoever does any of the following is guilty of a Class C felony:

- Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.

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

### **Third Degree Sexual Assault**

Whoever has sexual intercourse with a person without consent of that person is guilty of a Class G felony.

### **Fourth Degree Sexual Assault**

Whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

### **Notes on Sexual Assault**

Marriage is not a defense to sexual assault. A person may be prosecuted for assaulting his or her spouse. (Wis. Stat.940.225 (6))

## C. RESTRAINING ORDERS

Restraining orders are issued under Wisconsin domestic violence laws to protect victims of abuse. Obtaining a restraining order is a two-part process. First, a victim must submit a petition for a restraining order in their local county courthouse. The judge can issue a temporary restraining order until a formal hearing is heard on the matter. At the hearing, the abused requests a final restraining order while the abuser potentially argues why no order should be issued. A final restraining order, once issued, lasts up to four years and can be renewed. A domestic violence restraining order in Wisconsin can order the abuser to maintain a certain distance from the victim's residence, school or work, require the victim be contacted by the abuser only through an attorney or law enforcement officer, and require the abuser to surrender any firearms in their possession.

## D. CONSENT - WIS. STAT. 940.225(4)

"Consent" means 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 but the presumption may be rebutted by competent evidence:

- 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.

### Notes on Consent

A person under 16 years of age is incapable of consent as a matter of law. Teens 16 and 17 years old can legally consent to sexual contact; however, they are deemed incapable of consenting to sexual intercourse as a matter of law. People who have a mental illness or deficiency, and people who are unconscious or physically unable to communicate, are assumed incapable of consent, but that assumption can be challenged in court.

## E. SEXUAL CONTACT - WIS. STAT. S. 940.225(5)(B)

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

Any of the following types of intentional touching, whether direct or through clothing, if that intentional touching is either for the purpose of sexually degrading; or for the purpose of sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery:

- Intentional touching by the defendant or, upon the defendant's instruction, by another person, by the use of any body part or object, of the complainant's intimate parts.
- Intentional touching by the complainant, by the use of any body part or object, of the Defendant's intimate parts or, if done upon the defendant's instructions, the intimate parts of another person.

## F. SEXUAL MISCONDUCT DEFINITIONS

### Stalking

Stalking has been prohibited by Wisconsin law since 1993. Stalking is engaging in a course of conduct (at least two occurrences that show a continuity of purpose), against a specific person that would make a reasonable person in that position fear bodily injury or death to himself or herself, a family member, or a member of his or her household. The act greatly expands the definition of “course of conduct” which includes acts such as being near, approaching, or contacting the victim; appearing at places the victim is likely to be; sending material or an object to the victim either directly or indirectly through a friend or contact of the victim; contacting the victim by telephone or engaging in nuisance telephoning; or entering the victim’s property. This list is not exhaustive, and a court may consider other acts as evidence of stalking, so long as there are at least two occurrences and the other elements of the crime are met.

The act increases the penalty for stalking by changing its classification from a Class A misdemeanor to a Class E felony, with enhancements for special circumstances. For example, stalking a minor or stalking after conviction for harassment, prior stalking, a violent crime, or any crime against the current victim within the last seven years, is a Class D felony. Stalking that involves gaining access to an electronic record with identifying information regarding the victim or that involves unlawful wiretapping or tracing of a phone call is also a Class D felony. A stalking offense where the victim, a family member, or a member of his or her household suffers bodily harm that involves a dangerous weapon or that is committed within seven years of a conviction for a prior violent crime, stalking, or harassment against the same victim, is a Class C felony.

### 940.32 – State Statute - Stalking

(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: Those acts include:

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

**Sexual Intercourse - Wis. Stat. S. 940.225(5)(B)**

“Sexual intercourse” includes the meaning assigned under s. 939.22 (36) (requiring only vulvar penetration and not emission) as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person’s body or of any object into the genital or anal opening either by the defendant or upon the defendant’s instruction. The emission of semen is not required.

**Note on Domestic Abuse and Dating Abuse**

Under Wisconsin law, dating abuse is considered a form of domestic abuse.

**Domestic Violence**

Wis. Stat. 813.12: Domestic Abuse Restraining Orders and Injunctions

Wis. Stat. 813.122: Child Abuse Restraining Orders and Injunctions

Wis. Stat. 968.075: Domestic Abuse Incidents

Wis. Stat. 995.67: Domestic Abuse Services; Prohibited Disclosures

Under Wisconsin law, domestic violence has two elements. The first, relating to its domestic nature, involves the relationship between the abuser and the victim. Relationships qualifying as domestic under the law are adult family and household members, adult caregivers, spouses, former spouses, any adult dating relationship and people with a child in common. The second element, violence, is any intentional infliction of physical pain, injury or illness, impairment of physical condition, sexual assault, damage to property or the threat of any of these acts.

**Mandatory Arrest**

A police officer has the legal obligation to arrest and take into custody any person reasonably suspected to be committing or to have committed criminal domestic abuse if there is evidence of physical injury or if domestic abuse against the victim is likely to continue. If domestic abuse is reported more than 28 days after the incident of abuse, officers are not required to arrest the abuser unless additional evidence is present. If two persons in a domestic relationship are participating in mutual abuse, the police need only arrest the primary physical aggressor. After an arrest for domestic violence, the arrested person must avoid the residence of the victim for 72 hours.

**Restraining Orders**

Restraining orders are issued under Wisconsin domestic violence laws to protect victims of abuse. Obtaining a restraining order is a two-part process. First, a victim must submit a petition for a restraining order in their local county courthouse. The judge can issue a temporary restraining order until a formal hearing is heard on the matter. At the hearing, the abused requests a final restraining order while the abuser potentially argues why no order should be issued. A final restraining order, once issued, lasts up to four years and can be renewed. A domestic violence restraining order in Wisconsin can order the abuser to maintain a certain distance from the victim’s residence, school or work, require the victim be contacted by the abuser only through an attorney or law enforcement officer, and require the abuser to surrender any firearms in their possession.

## G. SEXUAL HARASSMENT

Edgewood policy as well as state and federal law prohibit sexual harassment. Some acts may constitute both sexual assault and sexual harassment. Unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature constitute sexual harassment when:

Submission to such conduct is a condition of employment, academic progress, or participation in a college program.

Submission to or rejection of such conduct influences employment, academic or college program decisions; or the conduct interferes with an employee's work or a student's academic career, or creates an intimidating, hostile, or offensive work, learning or program environment.

When sexual harassment occurs, it degrades the quality of work and education at the college. It erodes the dignity and productivity of the individuals involved and diminishes the quality, effectiveness and stature of the institution. Any one of us may experience harassment, be accused of harassment, or engage in consultation with someone who believes they have been harassed.

Sexual harassment can occur in any institutional setting: in the workplace, the learning environment or college programs. Each of us has a duty not to harass others and to act responsibly when confronted with the issue of sexual harassment. Principal investigators, supervisors, managers, department chairs, directors and deans have additional responsibilities: individuals in positions of authority must not engage in sexual harassment, must take reasonable measures to prevent sexual harassment and take immediate and appropriate action when they learn of allegations of sexual harassment.

### **Sexual Harassment Definition – Wis. Stats. s. 111.32(13)**

“Sexual harassment” means unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature.

“Sexual harassment” includes conduct directed by a person at another person of the same or opposite gender.

“Unwelcome verbal or physical conduct of a sexual nature “ includes but is not limited to the deliberate, repeated making of unsolicited gestures or comments of a sexual nature; the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes; or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employee's work performance or to create an intimidating, hostile or offensive work environment.

### **Tangible Action or Quid Pro Quo (This for That) Sexual Harassment**

Occurs when employment or academic decisions resulting in a significant change in status are based on an employee or student's submission to or rejection of unwelcome verbal or physical sexual conduct.

### **Hostile Environment Sexual Harassment**

Occurs when verbal, non-verbal and/or physical conduct is:

- Sexual and/or based on gender
- Unwelcome, and
- Sufficiently severe and pervasive to interfere with a person's work, learning, or program performance or to create a hostile, intimidating or offensive environment.

A determination of sexual harassment is made on a case-by-case basis looking at the whole record, including the circumstances (such as the nature of the sexual advances) and the context in which the alleged incidents occurred. Some behaviors, which may be acceptable in certain contexts, are inappropriate in the workplace or classroom, particularly if an objection is expressed.

### **Key Points about Sexual Harassment**

- Differences in power or status can be a significant component in sexual harassment. A person who seems to acquiesce to sexual conduct may still experience tangible action harassment or hostile environment harassment if the conduct is unwelcome.
- Sexual harassment can occur between people of any gender.
- Sexual harassment may or may not involve a tangible injury (e.g., economic loss, lowered grades). A sexually harassing environment, in and of itself, may constitute harm.
- Sexual harassment must be addressed and corrected regardless of the position or status of the perpetrator or the person being harassed.
- Conduct is not always offensive or unwelcome to the same degree when perceived by different people. Courts use a "reasonable person" standard to determine whether the contested behavior constitutes sexual harassment.
- Individuals in positions of authority are responsible for ensuring that employees, students, or others do not engage in harassment. In an academic or program setting, offenders can be faculty, instructors, lecturers, teaching assistants, coaches, tutors, or fellow students or program participants. In the workplace, offenders can be supervisors, coworkers or non-employees such as vendors, customers or suppliers.
- The person filing a sexual harassment charge does not have to be the person harassed but could be anyone significantly harmed by the harassing conduct.
- Harassment does not have to be reported immediately, but a significant delay may be a factor in the evaluation of a complaint. A delayed report may result in the dismissal of a complaint, e.g., 300 days, Wisconsin Equal Rights Division.
- Allegations involving classroom and teaching expression will be assessed using the College's Prohibited Harassment Policy.
- Some behavior that is not in violation of the College's policy may, nonetheless, be unprofessional under the circumstances. Consequences of such unprofessional behavior may include poor performance evaluations or discipline.

## 5. POLICIES

### A. TYPES OF MISCONDUCT

**Abuse of Conduct Process:** Abuse or interference with, or failure to comply in, College processes including student conduct and academic misconduct proceedings including, but not limited to:

- a. Falsification, distortion, or misrepresentation of information;
- b. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
- c. Attempting to discourage an individual's proper participation in, or use of, the College's student conduct process;
- d. Harassment (verbal or physical) and/or intimidation of a Student Conduct Officer or a member of the Student Conduct Board prior to, during, and/or following a College proceeding;
- e. Influencing, or attempting to influence, another person to commit an abuse of the College's student conduct system.

**Disruption of College Activities:** Conduct that disrupts college activities, or those authorized by the College, both on or off campus.

**Harmful Conduct:** Behavior that threatens, harms, or endangers the health or safety of oneself or another person.

**Damage to Property:** Damage or destruction of College property or property belonging to others.

**Failure to Comply:** Refusing to comply with reasonable request of a College official acting within the performance of their duties.

**Fire Safety:** Violation of local, state, federal, or campus fire policies, including, but not limited to:

- a. Intentionally or recklessly causing a fire which damages College property, or the property of others, or which causes personal injury;
- b. Use or possession of flammable materials or substances used to ignite, spread, or intensify flames for fire, except as expressly permitted by College officials, that results or could result in personal injury or property damage;
- c. Failure to evacuate a College-controlled building during a fire alarm;
- d. Tampering with or improperly engaging a fire alarm, fire detection/control equipment, or emergency equipment.

**Forgery or Falsification:** Unauthorized possession of, or fraudulent creation, alteration, or misuse of any College or government document, record, key, or identification; knowingly providing false information to a College or law enforcement official.



**Hazing:** Act(s) which endangers the health or safety of another person for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization, with or without the person's consent.

**Misuse of Computing Resources:** Conduct that violates any section of the College Information Resources Policy, including misuse, abuse, use for commercial or political gain, causing disruption or destruction of systems, or any other related behavior. *(See Information Resources Policy for more information)*

**Noncompliance with Disciplinary Sanctions:** Conduct that violates a sanction or fails to comply with the directives imposed by the student conduct process and/or Student Conduct Officer.

**Prohibited Possession of a Weapon:** Possession of weapons, whether concealed or unconcealed per Wisconsin law, on campus and/or at College-sponsored events. This includes illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others, including, but not limited to guns, paint ball guns, pellet guns, BB guns, Airsoft guns, arrows, nun chucks, knives with blades longer than three inches, swords, shells, shell casings, and plastic or metal pellets, metallic knives, explosives, or any other device which, in the manner it is used or intended to be used is calculated or likely to produce bodily harm. *(See Weapons Policy for more information)*

**Retaliation:** Conduct that harms or influences another person in response to filing a report or participating in a conduct process or related activity.

**Unauthorized Entry:** Unauthorized entry into, use of, or misuse of any building, structure, equipment, keys, and/or facility.

**Unauthorized Taking of Property:** Intentional and unauthorized taking of College Property or the personal property of another, including goods, services, and other valuables. Attempting to take College property or the personal property of another. Knowingly taking or maintaining possession of stolen property or taking College property out of its designated area without proper authorization.

**Unauthorized Use, Possession, Distribution, or Misuse of Alcohol:** Use, possession, or distribution of alcohol, except that expressly permitted by College policy or local, state, or federal law. Misuse of alcohol by those legally able to consume, related to harm to self or others, or in violation of College policies. *(See Alcohol and Drug Use Policy for more information)*

**Unauthorized Use, Possession, Distribution, or Sale of Illegal Substances and/or Paraphernalia:** Use, including appearing under the influence, possession, distribution (for sale or for share) of any illegal drug or controlled substance, except that expressly permitted by College policy or local, state, or federal law. This also includes the misuse or distribution of prescription medication. *(See Alcohol and Drug Use Policy for more information)*

**Violation of College Policies:** Conduct that violates any College policy, rule, or regulation, published in print or online.

**Violation of Law:** Evidence of violation of local, state or federal laws, when substantiated through the College's student conduct process.

**Violation of the Non-Discrimination and Harassment Policy:** Conduct that violates the College's Non-Discrimination and Harassment Policy (*See Non-Discrimination and Harassment Policy for more information*).

**Violation of the Sexual Misconduct and Relationship Violence Policy:** Conduct that violates the College's Sexual Misconduct and Relationship Violence Policy. (*See Sexual Misconduct and Relationship Violence Policy for more information*)

## B. ALCOHOL AND DRUG USE POLICY

In compliance with federal law, the Edgewood College alcohol and drug use policy is included below for student and employee review. Please review the policy below.

### Preface

College culture nationwide exaggerates the connection between social fun and excess alcohol use. This misperception is especially strong in Madison even though well over 60%\* of Edgewood College, students either abstain or drink in a low risk manner. In other words, most students figure out how to enjoy their social time without drinking in a risky way or without drinking at all. Low risk drinking is roughly defined as infrequent (1 time per week or less) alcohol use in a safe environment where a person's Blood Alcohol Content is below .05 (about 1 drink per hour).

The Wisconsin drinking age is 21 years of age. Edgewood College, its students, faculty, and staff are subject to all laws of the State of Wisconsin regarding possession, consumption, sale, and distribution of alcoholic beverages or drugs. All students are required to show proof of age when purchasing, or accepting alcoholic beverages on campus. Students who fail to provide this information, use false information, violate the law and/or college policy are liable for disciplinary action.

Edgewood College expects students who choose to use alcohol, to drink in a safe manner. Excess drinking is strongly discouraged for its risk to the drinker and for its negative effects on the campus community. The College is committed to providing educational programs to promote low-risk use or abstinence, to educate students about the risks of excess drinking, and to promoting alternatives to excess drinking.

*\*From Edgewood College National College Health Association (NHCA) Survey Fall 2016*

### **Seeking Assistance**

At the discretion of the appropriate College authorities, assistance for problems with drug or alcohol may be offered in lieu of, or concurrent with, disciplinary action. An assessment and/or evidence of satisfactory progress toward elimination of the problem may be required as part of any such agreement.

A conscientious effort to seek help will not, by itself, jeopardize an employee's job or a student's enrollment. Employees or students in need of help for an alcohol or drug problem are encouraged to utilize Personal Counseling Service (608-663-4148) or the Employee Assistance Program (Cigna at 1-800-538-3546 or [www.cignabehavioral.com/cgi](http://www.cignabehavioral.com/cgi)).

### **General Drug and Alcohol Policies**

1. Alcoholic beverages may only be possessed, purchased and/or consumed by persons of legal drinking age, and then only in areas designated by the College at College-sanctioned functions.
2. No person may procure, sell, dispense or give alcoholic beverages for or to an underage person.
3. Alcohol abuse and/or drug/alcohol intoxication will not be tolerated and will not be accepted as an excuse for unlawful behavior or misconduct.
4. Alcoholic beverages will be permitted at approved College events in accordance with the guidelines established by the College.
5. Alcoholic beverages are never to be used as a reward for achievement or given as a prize or award.
6. Sanctions will be administered for drug and alcohol violations.
7. Use, possession, sale, delivery, manufacture or distribution of any narcotic, drug, and/or medicine prescribed to another person, chemical compound or other controlled substance, except in accordance with federal, state, local law, and/or Edgewood College policy is expressly forbidden.
8. Possession of drug-related paraphernalia, except in accordance with federal, state, local law, and/or Edgewood College policy is expressly forbidden.
9. Being under the influence of narcotics, drugs, medicine prescribed another person, medicine in excess of an individual's prescribed limits, chemical compound or other controlled substance, except in accordance with federal, state, local law, and/or Edgewood College policy is expressly forbidden.
10. When the source of a noxious odor can be traced to a particular room, the occupants of that room may be subject to disciplinary action. A noxious odor is ANY aroma of such intensity that it becomes apparent to others. Any odor may become noxious or offensive when it is too strong. Some examples are cigarette, marijuana, cigar or pipe smoke.

### **Residence Hall Alcohol Restrictions**

No alcoholic beverages are allowed in Dominican spaces, which are not apartments or cooperative living spaces, Marshall, East Regina, West Regina or Stevie (Marie Stephen Reges) Halls.

### **Apartment Alcohol Policy**

Wisconsin State law concerning alcohol consumption is Edgewood College's apartment/ cooperative living alcohol policy. If you are 21, you can possess and consume alcohol only in the apartments/cooperative living spaces.

If you are under the age of 21, you can be in the presence of alcohol but are prohibited from consuming or possessing alcohol. If alcohol is present in an apartment/cooperative living space, it must be possessed only by residents 21 years of age or older. Anyone found providing alcohol for underage students and/or guests will be subject to disciplinary action.

Alcohol in open containers is only permitted in apartment/cooperative living areas including rooms and lounge areas and is not permitted in the traditional residence halls including the larger Dominican Hall. Possession of alcohol in open containers outside of the apartment/cooperative living areas will be subject to disciplinary action.

Empty alcohol containers for decorative purposes and alcohol signage are permitted in the apartment/cooperative living areas. However, empty alcohol containers and alcohol signage are prohibited from windows and should not be seen from outside of the building.

Beer kegs are prohibited in all locations of the apartment/cooperative living areas unless approved for a college-sponsored event by the College. Possession of a beer keg will result in the keg/container and all its paraphernalia (ex. tapper) being confiscated and they will become the property of Edgewood College. Students found in possession of a beer keg will be subject to disciplinary action.

### **Consequences of Non-Compliance**

Employees or students who engage in any of the prohibited conduct in the Alcohol and/or Drug Use Policy are subject to disciplinary action which, depending on the type and seriousness of the violation, may include: verbal or written warnings, monetary fine, probation, revocation of privileges, behavioral and/or educational requirements, financial restitution, suspension, expulsion, termination, or referral to legal authorities for prosecution. Edgewood College reserves the right to contact parents or guardians of students who violate the Policy on Alcohol and Other Drug Use, in accordance with the Family Educational Rights and Privacy Act (FERPA).

Questions or comments can be directed to the Dean of Students Office at [StudentConduct@edgewood.edu](mailto:StudentConduct@edgewood.edu) or 608-663-2212.

### **Health Risks of Alcohol and/or Drug Use**

Individuals over 21 years of age have the right to choose to consume alcohol. Edgewood College urges those individuals to exercise sound judgment and responsibility in making that decision. Edgewood College does not condone underage consumption of alcohol.

**Alcohol** is a central nervous system depressant. Initially it may appear to stimulate a person and reduce inhibitions. Greater amounts of alcohol will depress deeper parts of the brain, leading to loss of judgment and impaired sensory perception and motor skills.

Risks from excessive drinking, even if only occasional, include physical and sexual assault, fights, injuries, and diminished academic performance. Brain damage from alcohol abuse is permanent and recent studies suggest that the brain development continues into a person's early 20's making the damage that occurs in those years more significant.

Abuse of alcohol can pose a number of other health risks, both physical and psychological, such as impaired ability to reason; damage to the heart and liver; irritation of the stomach lining, possibly leading to ulcers; and depression of brain centers, causing poor coordination, confusion, disorientation, stupor, anesthesia, coma, and death.

**Marijuana** produces an intoxicating effect that slows reasoning abilities. Concentration and problem-solving abilities are impaired. Slowed reflexes, reaction time, and poor peripheral vision may also result.

Marijuana has multiple adverse effects on the body including increased heart rate, lung damage, increased cancer risk, diminished immune systems and risk of memory impairment. Long-term use has also been linked to increases in anxiety, depression, and lower academic performance.

Important psychological and emotional developmental tasks (such as career establishment or developing emotional intimacy) can be delayed or stalled with heavy use of marijuana.

**Party/Club Drugs** refer to a large group of drugs often used at parties, raves or dance clubs and their settings that, as a group, have a wide variety of effects and risks. Some of the drugs in this informal grouping include ecstasy, GHB, Ketamine, LSD, and Rohypnol. Ecstasy is the most common of these drugs and it's taken for the euphoric effects, heightened energy and emotional warmth it produces in some users. The risks of these drugs are serious for even occasional use. Risks include increased heart rate, nausea, dizziness, muscle tensions, teeth clenching, dangerously high body temperature, depression, and anxiety. Long-term use can lead to memory problems and depression. Pills sold as ecstasy often include other substances that create even more serious health risks.

**Stimulants (Amphetamines, Cocaine)** Drugs that stimulate the central nervous system have a high potential for abuse because continuous use can result in severe dependence. Low doses of stimulants cause increased heart rate, blood pressure, and breathing rate. Sleeplessness and anxiety may also result. Higher doses cause irritability and excitability. Users may also experience feelings of paranoia and illusions or hallucinations. Abuse of these substances causes increased risk of heart failure, malnutrition, and a weakening of the body's immune system.

Most prescription drugs used to treat Attention Deficit Disorder are amphetamines and produce the same risks from misuse as other forms of amphetamines noted above. Illegal use of ADD prescription drugs carries very serious criminal penalties.

**Depressants (Barbiturates, Narcotics, Hypnotics, and Tranquilizers)** Use of substances that depress the central nervous system can produce habituation and physical dependence.

Depressants slow the bodily functions, causing sleepiness or grogginess, impaired motor skills, poor memory, and faulty judgment. Larger doses may cause unconsciousness or death. Taken over a period, abusing these substances can result in a physical dependency. Withdrawal from physical dependency must be medically supervised. Abruptly stopping the drug can cause delirium and convulsions.

The use of central nervous system depressants in combination with alcohol significantly increases the risk of death. The most common form of unintentional overdose results from the combination of barbiturates and alcohol.

Misuse of prescription opiates such as OxyContin or Vicodin is very dangerous because of the risk of addictions and overdose. Overdose risk is especially high when combined with alcohol. Legal penalties for such misuse are also very serious.

**Hallucinogens (PCP, LSD, and Mescaline)** Hallucinogens can cause habituation or psychological dependence. There are minimal withdrawal symptoms when regular use of the drug is stopped. Unpleasant psychological reactions are common, however. Risks include breaks from reality, flashbacks, emotional breakdown, and memory lapse. More severe reactions can include convulsions, partial paralysis, delusion, hysteria, and outbreaks of violence.

**Madison Alcohol Ordinances** in addition to state laws, Madison enforces several local ordinances around alcohol. The legal drinking age is 21. More information about WI alcohol laws and penalties can be found at [www.cityofmadison.com](http://www.cityofmadison.com) and [www.revenue.wi.gov/faqs/ise/atundrg.html](http://www.revenue.wi.gov/faqs/ise/atundrg.html).

**Compliance with Applicable Federal, State and Local Laws** This policy is subject to amendment. Edgewood College reserves the right to amend, add, delete, or modify this policy, and any others, for any purpose including compliance with local, state, or federal law.

## C. NON-DISCRIMINATION AND HARASSMENT POLICY

**Overview** Edgewood College will not tolerate discriminatory or harassing behaviors. The College's Dominican Catholic heritage calls all members of the community to foster a learning environment that is free from any form of discrimination or harassment. Edgewood College is committed to maintaining a community free from discrimination and harassment, including discriminatory behavior. To fulfill this commitment, the College will work to prevent discrimination from occurring and will ensure that federal, state and local laws and campus policies prohibiting discrimination are fully enforced.

Persons who believe that they are being or have been subjected to discrimination or harassment are encouraged to seek resolution as soon as possible. Due to the private nature of educational and personnel records, the College may not be able to fully disclose the actions taken in response to a report of discrimination or harassment. The College recognizes the right of all individuals involved in claims of discrimination to a fair framework for encouraging resolution of complaints. Deliberate falsification, distortion or misrepresentation of information during the course of a complaint process may be grounds for disciplinary action and may violate other standards of conduct.

As a Dominican Catholic institution of higher education, Edgewood College is committed to the search for truth, the advancement of knowledge and the principles of academic freedom. This policy is not intended to limit or restrict employees or students in the legitimate exercise of their academic freedom of expression, as the conduct defined under this policy is not within the scope of protected academic freedom. The Non-Discrimination and Harassment Policy affects all relationships within the College community.

### **Policy Statement**

The College affirms and protects the rights and opportunities of all persons to a working and learning environment free from discrimination and harassment. No person shall, on the basis of gender, gender identity, gender expression, sex, sexual orientation, race, religion, color, creed, national origin or ancestry, age, ability, veteran status, or any other characteristic protected under applicable law, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination, including harassment, under any program of the College. This policy also prohibits any form of retaliation.

Discrimination and Harassment takes many forms. While some actions are blatant, others are subtler and, although equally hurtful, the intent to do a discriminatory or harassing act is less clear. Edgewood College strives to provide learning opportunities that educate all members of the community on the impact that discrimination has on individuals and the community as a whole. Our mission and values call us to utilize a social justice framework to guide both preventative and reactive efforts. Students and employees who violate this policy may be subject to discipline up to and including dismissal/termination.

## Definitions specific to Non-Discrimination Policy

**Discrimination** occurs when a member of the College community is subjected to disparate treatment in employment or in the provision of educational benefits, services, or programs, based on gender, gender identity, gender expression, sex, sexual orientation, race, ethnicity, religion, color, creed, national origin or ancestry, citizenship status, age, ability, veteran status, or any other characteristic protected under applicable law.

Edgewood College uses the following categories to address incidents of discrimination:

- a. **Hate Crimes**– Hate crimes include any criminal offense that manifest evidence of prejudice or bias based on one’s identity (such as, but not limited to, race, gender, gender identity/expression, sexual orientation, religion). Edgewood College will report hate crimes, as defined by the FBI Uniform Crime Reporting, to the police, and cooperate with them in investigating any act constituting a hate crime. Those who commit hate crimes may also be subject to discipline by the College. Hate Crimes must also be reported to meet Clery Act requirements.

Investigations of hate crimes require due process according to the college’s policies, including adherence to AAUP guidelines related to academic freedom. Sanctions will depend on the severity of the action, the impact on the targeted individual/group, intentionality of the action, and on the overall context in which the action occurred. Sanctions for students will be determined using the procedures for allegations of student conduct policy violations, described in the Student Code of Conduct. Sanctions for employees may range from reprimands or training to immediate termination of employment, depending on the severity of the incident and taking into account any previous employment concerns.

- b. **Bias Incidents**– A bias incident is a verbal, written, or physical act of intolerance or prejudice that does not involve violence or other criminal conduct. Bias incidents may be expressed through acts of bigotry, harassment or intimidation. Examples of bias incidents include, but are not limited to, homophobic or sexist jokes, racial epithets, religious slurs, offensive graffiti, disparaging remarks on social media, or making a grading decision because of the person has protected status. Bias incidents may or may not be intended to cause harm, but such incidents negatively affect the campus climate.

Responses to bias incidents may include educational opportunities for the individuals and groups involved, as well as for members of the campus community as a whole when reporting patterns suggest broader issues that move beyond the immediate incident. This policy therefore seeks to enhance understanding, provide a forum for expression of multiple viewpoints, mediate conflict, and pursue restoration. In some cases, reports of bias incidents will be referred to a disciplinary body if the behavior violates a college policy.



**Harassment** includes unwanted, unsolicited, and offensive conduct whether physical or verbal, that tends to injure, degrade, disgrace, or show hostility toward a person because of one's gender identity, sex, sexual orientation, race, religion, color, creed, national origin or ancestry, age, disability, or any other characteristic protected under applicable law. The conduct does not have to be threatening and may include deliberate and persistent conduct that is severe or pervasive enough that a reasonable person would find intimidating, hostile or offensive.

Examples include, but are not limited to:

- Abusive, degrading, intimidating, or offensive remarks, jokes, or gestures
- Slurs, negative stereotyping, or threatening, intimidating, or hostile acts
- Posting of graphic material on walls, bulletin boards, in electronic communication or elsewhere on the College's premises that shows hostility, aversion, or is derogatory to an individual group
- Differential treatment of an individual with regard to terms and conditions of employment or educational benefits or services because of that individual's gender, sex, sexual orientation, race, religion, color, creed, national origin or ancestry, age, disability, or any other characteristic protected under applicable law

Incidents of sexual harassment or sexual misconduct will be reported to the Title IX Coordinator.

### **Reporting Incidents of Discrimination or Harassment**

If you have experienced or observed an incident of discrimination or harassment, please report it through this online report form or one of the following offices:

**Online:** [https://cm.maxient.com/reportingform.php?EdgewoodCollege&layout\\_id=4](https://cm.maxient.com/reportingform.php?EdgewoodCollege&layout_id=4)

***By phone or in-person:***

Dean of Students Office

Predolin 215 | 608-663-3312

Office of Mission, Values, & Inclusion

Predolin 239 | 608-663-4161

Human Resources Director/Employee Relations Manager

DeRicci 214 | 608-663-4304/608-663-2387

For additional information on how to file a formal or informal complaint, please see How to File a Complaint or Report a Student Code of Conduct Violation.

## D. HOW TO FILE A COMPLAINT OR REPORT A STUDENT CODE OF CONDUCT VIOLATION

The College offers a variety of avenues for formal complaint procedures, depending on the nature of your concern or complaint.

**If you have an immediate concern for safety**, contact Edgewood College Campus Security at 608-663-4321 or dial 911.

To file a complaint or report an incident-involving **student** conduct:

Email: [StudentConduct@edgewood.edu](mailto:StudentConduct@edgewood.edu)

Call: 608-663-2212

Visit: Predolin 215 and ask for the Assistant Vice President of Student Developments/Director of Student Conduct to file a non-academic complaint or report an incident involving **faculty or staff member** conduct:

Email: [deanofstudents@edgewood.edu](mailto:deanofstudents@edgewood.edu)

Call: 608-663-2212

Visit: Predolin 215

Or

Email: [hr@edgewood.edu](mailto:hr@edgewood.edu)

Call: 608-663-2387

Visit: DeRicci 215A

**If you are concerned that any person might engage in violence**, please contact campus security at 608-663-4321 as soon as possible.

Even if you are not sure whether you should report something, you are encouraged to err on the side of caution. The College has trained professional staff who can evaluate these reports and take appropriate action.

**If you have been a victim of discrimination, sexual or gender-based misconduct and/or relationship violence by any person**, please review the College's Non-Discrimination and Harassment Policy and/or the Sexual Misconduct and Relationship Violence Policy. Our first concern is for your safety and well-being, but we also encourage you to report to campus and/or law enforcement.

**If you have experienced discrimination, sexual misconduct and/or relationship violence, have exhausted the campus complaint options, and you still have a complaint**, you can file a complaint with the Office of Civil Rights at <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

## **E. PROCEDURES FOR ALLEGATIONS OF STUDENT CONDUCT POLICY VIOLATIONS**

The procedures described in this Handbook are not intended to emulate legal proceeding but to advance the educational mission of the College. Formal rules of evidence and procedure used by the legal system do not apply to student conduct proceedings at Edgewood College.

Incident reports or other complaints alleging violations of College policies will be referred to the Assistant Vice President of Student Developments/Director of Student Conduct, or designee, who will conduct a preliminary review of the facts of the case to determine whether sufficient evidence exists to warrant moving the case forward in the student conduct process. Upon determination that sufficient evidence does exist to move forward with a student conduct process, the Assistant Vice President of Student Developments/Director of Student Conduct will refer the case to a Student Conduct Officer for a Student Conduct Conference. The respondent will be sent a letter to their College email notifying them of the date, time, and location of their Conference, along with information about the specific policy they allegedly violated.

Student Conduct Conferences may be conducted in the absence of a student who fails to appear after campus officials have made a reasonable effort to provide advance notice of the conference time, date, and location.

### **Standard of Evidence**

Edgewood College uses a preponderance of the evidence standard in the student conduct process. Preponderance of the evidence means that the statements and information presented in the case must indicate to a reasonable person that it is more likely than not that, the respondent committed a violation. Both the complainant and the respondent will have an equal opportunity to present relevant witnesses and other evidence during the student conduct process. Both parties will be afforded similar and timely access to any information that will be used during the hearing proceedings.

### **Student Rights in the Student Conduct Process**

A student participating in the student conduct process is entitled to the following rights as a guarantee of fundamental fairness:

- Throughout the investigation, the parties have an equal opportunity to present relevant witnesses and other evidence.
- The College uses a preponderance of the evidence standard in all proceedings.
- If one party has lawyers or other advisors at any stage of the proceedings, the other party will be given the same opportunity. Any school-imposed restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings also apply equally. The cost of legal counsel is to be borne by the student. The role of legal counsel is limited to consultation

with the student involved, and therefore, counsel is not permitted to speak or participate directly in the proceedings.

- If applicable, third-party expert testimony will be considered from both parties.
- All parties are entitled to appeal the outcome of the investigation and student conduct process in sexual misconduct and relationship violence cases.
- All parties in sexual misconduct and relationship violence cases are notified, in writing, of the outcome of both the case and any appeal. (Regardless of which party files for an appeal, both the complainant and the respondent will be informed of the status of the appeal request, processing and outcome.)
- Respondent will be notified in writing of the guidelines and process for reinstatement to the institution, if applicable.

### **Resolution of Allegation(s) of Student Code of Conduct Violations**

Students accused of a violation of the Student Code of Conduct will be referred for a Student Conduct Conference. Student Conduct Conferences are held by trained Student Conduct Officers, as determined by the Assistant Vice President of Student Developments/Director of Student Conduct, who may be a

Residence Life professional staff member or another member of the College community, The Assistant Vice President of Student Developments/Director of Student Conduct will assign each respondent a Student Conduct Officer for the Student Conduct Conference.

During the Student Conduct Conference, the respondent will be given the opportunity to review the information that resulted in the allegations and explain their version of events. Based on the available information and the information presented at the Conference, the Student Conduct Officer will determine whether the respondent has violated the Student Code of Conduct. If the student is found not responsible, the case will be dismissed. If the student is found responsible, the Student Conduct Officer will determine sanctions. A Student Conduct Conference may be held in the absence of a student who fails to appear after campus officials have made a reasonable effort to provide advance notice of the conference time, date, and location. The Student Conduct Officer will communicate their decision and any sanctions in writing to the respondent, subject to the requirements of the Family Educational Rights and Privacy Act or other applicable laws.

### **Student Conduct Process Advisor**

Students involved in the student conduct process may select an advisor to accompany them throughout the process. An advisor must not be an employee of the College. The advisor may be a friend, mentor, family member, attorney, or any other supporter a party chooses to advise them who is both eligible and available. The College will not reschedule a proceeding to accommodate an advisor's schedule. Witnesses or other parties directly involved in a case may not serve as advisors.

Student Conduct Process Advisors should schedule a meeting with the Assistant Vice President of Student Developments/Director of Student Conduct to be briefed on the role, expectations and the student conduct process. The role is limited to consultation with the student involved. Complainants and respondents are responsible for presenting their own information. Student Conduct Process Advisors are not permitted to speak or to participate directly in the proceeding. Students who have

concurrent criminal charges pending against them may have legal counsel present, the cost of which is to be borne by the student. The role of legal counsel is limited to consultation with the student involved and therefore counsel is not permitted to speak or participate directly in the proceeding.

## **Sanctions**

The following are sanctions, which may be imposed for violations of the Student Code of Conduct:

***Disciplinary Warning:*** Notice to the student that future misconduct will result in more severe disciplinary action by the College.

***Disciplinary Probation:*** A specified period of time during which the student is removed from good disciplinary standing. The student may be restricted from representing the College in any extracurricular activity or running for or holding office in any student group or organization. Probationary status may permit the student to remain in the residence halls and at the College on the condition that they comply with the sanctions determined by the Student Conduct Officer.

***Residence Hall Probation:*** A specified period of time in which a student is allowed to continue living in the residence halls, however, the student's resident status is in jeopardy. Should further disciplinary issues occur during the period of Residence Hall Probation, the period of Residence Hall Probation may be extended or suspension from the residence halls may be imposed. Residence Hall Probation may also include reassignment to a different residence hall room or building.

***Residence Hall Suspension:*** Student is removed from the residence halls, without refund of housing fees, and is not allowed to live in the residence halls or have residence hall visitation privileges for a designated period of time.

***Suspension:*** Temporary loss of student status for a specified time with resultant loss of all student rights and privileges. A suspended student will be required to leave campus and not be permitted to return until the time of the suspension has elapsed. A suspended student will lose credit for subjects carried that semester and fees and tuition will be forfeited. The disciplinary action will be recorded as a part of the student's record in the Dean of Students Office and noted on the student's transcript

***Expulsion:*** Permanent termination of student status. An expelled student shall receive a grade of "F" in all courses carried during the term they are expelled and fees and tuition will be forfeited according to the normal withdrawal policy. The expelled student will not be permitted on campus without permission from the Dean of Students. The action of expulsion will be noted in the student's record in the Dean of Students Office and will be noted on the student's transcript permanently.

***Behavioral Requirements:*** A requirement to participate in certain activities, including, but not limited to, obtaining academic counseling, substance abuse assessment, behavioral assessment, etc.

***Educational Requirements:*** Requirement to attend, complete, present, and/or participate in a program or assignment that is educational and/or reflective in nature. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible.

**Loss of Privileges:** The student will be denied specified privileges for a designated period of time, including, but not limited to restrictions on participation in campus activities, campus presence, residence hall visitation, parking privileges, or contact with individuals or groups on campus.

**Restitution:** Student is held responsible for damages to personal or community property through financial compensation or appropriate work arrangements.

**Fine:** Monetary sanction, which must be paid within a designated time.

### **Temporary or Permanent Dismissal from the College for Administrative Reasons**

No student is permitted to engage in conduct which is an undue threat to self or others, or that interferes with the effective enjoyment of college and academic life by others. In these circumstances, dismissal of a student and exclusion from College property may be imposed without the procedure outlined in the Student Code of Conduct. The Dean of Students, or designee, may take this action if satisfied that serious misconduct has occurred and/or that the student has continued presence on the campus presents unreasonable risk of danger to self and/or to the College community. A student so sanctioned must leave the campus immediately. Following the imposition of any dismissal for administrative reasons, a dismissed student may request a hearing to determine whether the student should be reinstated, and the summary sanction(s) removed, using the general guidelines for hearings set forth in the Student Code of Conduct. This request for a hearing must be made within five days of receipt of the dismissal for administrative reasons.

Where conduct may have been caused by a mental or physical condition (including but not limited to eating disorders or substance abuse), the Dean of Students may require a medical (including mental health) evaluation of the student at the student's expense. The evaluation will be reviewed by the Dean of Students and a team of administrators reviewing the situation. The committee will be comprised of professional staff members as may be appropriate, such as from Health Services and Personal Counseling Services. The decision of that administrative committee will be final.

Where reasonably possible in light of the conduct and circumstances, the College will seek mechanisms to enable the student to continue moving toward the achievement of academic goals either immediately or in the future. The College will act with respect for the laws regarding the educational opportunities of persons with disabilities, while recognizing that there may be situations where conduct or threatened conduct by any person, including persons with disabilities, requires their temporary or permanent dismissal from the College.

### **Parental Notification**

The College reserves the right to notify the parents/guardians of dependent students regarding any student conduct situation, particularly alcohol and other drug violations. The College may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

## Appeals

All parties are able to appeal the decisions and sanctions. As part of the student, conduct process the student is informed of the right to appeal and procedures to be followed. Disagreement with the finding or sanctions is not, by itself, grounds for appeal. The following will be considered grounds for appeal:

1. A procedural error or irregularity which substantively affected the outcome of the student conduct process (e.g. substantiated bias, material deviation from established procedures, etc.)
2. New evidence that was not available at the time of the student conduct conference and which could have a substantial impact on the outcome of the student conduct process. A summary of this new evidence and its potential impact must be included with the appeal.
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

### How to Appeal

Appeals must be submitted in writing within five business days of notice of the decision being sent to the parties. Appeals must be submitted in writing, using the appeal form found online at <https://tinyurl.com/EdgewoodAppealForm>.

- A. The Dean of Students or designee will review appeals of decisions that did not result in a sanction of suspension or expulsion (i.e. probation, residence hall dismissal, and warning). The Dean of Students, or designee, will review the case file and the documentation provided in the appeal to make their determination. The Dean of Students, or designee, may elect to:
  - Affirm the finding and the original sanction, if any;
  - Affirm the finding and change the sanction, if any; or
  - In cases where new evidence was presented that was not available at the time of the original student conduct conference, order a new Student Conduct Conference.
- B. Appeals of decisions that resulted in a sanction of suspension or expulsion will be reviewed by a panel of at least three members, but no more than five, of the Student Conduct Board. The Student Conduct Board will conduct a review meeting with the original Student Conduct Officer and the parties. The Student Conduct Board may elect to:
  - Affirm the finding and the original sanction, if any;
  - Affirm the finding and change the sanction, if any; or
  - In cases where new evidence was presented that was not available at the time of the original student conduct conference, order a new Student Conduct Conference.

Only in cases where the Student Conduct Board changes the sanction, an additional appeal may be made by either party to the Vice President for Academic Affairs. The appeal must be submitted within five business days of delivery of the appeal outcome notification using the appeal form found online. The Vice President for Academic Affairs will review the case file and may elect to:

Affirm the finding and the original sanction, if any;

In cases where new evidence was presented that was not available at the time of the Student Conduct Board review, order a new Student Conduct Conference.

In cases where a new student conduct conference was ordered, the rights to appeal the decision of that outcome will be granted in accordance with the process described above.

The decision made by the appeal bodies described in sections A and B are final.

### **Student Status Pending Hearing or Appeal**

Under normal circumstances, imposition of sanctions will be deferred pending the review of the appeal. However, the Dean of Students, or designee, may impose the sanctions immediately while considering the appeal if there is a substantial safety risk to members of the College community.

When a student has concluded the suspension period and completed the conditions accompanying the suspension, they must submit a letter to the Dean of Students, or designee, requesting reinstatement and provide evidence that they have satisfied the terms of the suspension. The Dean of Students, or designee, may schedule a meeting to discuss the Student Code of Conduct and strategies to prevent further violations. The student may return to the College only after the Dean of Students, or designee has made an affirmative decision.

Reentry admission for students who have an academic standing of Dismissed requires review through the Admission Committee. Students start this process by contacting the Admission's Office. Questions regarding standing, or the academic requirements for re-entry can be directed to the Academic Dean's Office.

### **Emergency Action**

In certain circumstances, the College may temporarily limit or suspend a student's rights and privileges. Examples of limitations could include such actions as temporary removal from the residence halls, removal from co-curricular activities, and restriction to a specific area on campus between classes and interim suspension of student status.

The Assistant Vice President of Student Developments/Director of Student Conduct will manage the following Emergency Action process:



### **1. Emergency Action Determination**

The Assistant Vice President of Student Developments/Director of Student Conduct or a designee will determine the need for Emergency Action. The decision to limit or suspend student rights and privileges is based on the nature and severity of the alleged incident and the safety of or impact on the community. A student who presents a threat to their own well-being or to the rights, safety and/or property of others may be subject to immediate removal from the Edgewood College campus. The student may not re-enter any campus building, including the residence halls, or be present on campus without the written permission of the Dean of Students or their designee.

### **2. Emergency Action Notification**

In the event that a student's rights and privileges are limited or suspended, the Assistant Vice President of Student Developments/Director of Student Conduct will notify the complainant and respondent. The Campus Security Director will notify appropriate College officials and the parties to coordinate compliance.

### **3. Responding to Emergency Action Notification**

Students who wish to respond to or dispute Emergency Action should contact the Dean of Students at [DeanofStudents@edgewood.edu](mailto:DeanofStudents@edgewood.edu) or 608-663-2212.

### **4. Termination of Emergency Action**

The termination of Emergency Action will result in either:

- a) The respondent being found not responsible and the complainant and respondent returning to normal rights and privileges; or
- b) The respondent being found responsible and formal sanctions being imposed.

### **Filing a Complaint with the Office of Civil Rights**

Anyone who believes that Edgewood College has discriminated against them on the basis of race, color, national origin, sex, disability or age, may file a report with the Office of Civil Rights.

Office for Civil Rights (OCR)  
233 N. Michigan Ave., Suite 240  
Chicago, IL 60601  
Customer Response Center: (800) 368-1019  
Fax: (202) 619-3818 TDD: (800) 537-7697  
Email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)

### **Emergency Procedures**

To ensure the safety of all Edgewood College students, guests, faculty and staff, the following procedures will be used in emergencies.

#### **Active Shooter**

##### **1. Evacuate (RUN)**

- Have an escape route and plan in mind.
- Leave your belongings behind.
- Keep your hands visible.

2. Hide Out (HIDE)

Hide in an area out of the active shooter's view.

Block entry to your hiding place and lock the doors.

3. Take action (FIGHT)

As a last resort and only when your life is in imminent danger.

Attempt to incapacitate the active shooter.

Act with physical aggression and throw items at the active shooter.

**Ambulance / EMS**

- Call 911.
  - Give the exact location of the building, room number and directions to the area.
  - Notify the Security Office at 608-663-4321. They will guide emergency technicians to the scene promptly.
- If possible, stay with the person until help arrives.

**Bomb Threat / Chemical Spill**

- Call 911.
- Evacuate the building or area.
- Do not re-enter the building until an "all clear" is given.

**Fire**

- Please pull the fire alarm as you evacuate the building and call 911.
  - For a fire emergency, DO NOT try to extinguish the fire.
  - Persons with disabilities who are unable to evacuate the building immediately should go to the nearest safe room facing the street, shut the door, open a window and hang an article of clothing from the window. This will indicate your presence to firefighters.
- All other persons should evacuate the building to the designated meeting area.

**Natural Gas Leak**

- Evacuate the building or area. Do not use any electrical device, including lights, telephone or the fire alarm.
- Call 911 from a safe area.
- Do not re-enter the building or area until an "all clear" is given.

**Police**

- For Police or Ambulance, dial 911 from campus, office, or residence hall telephone.
- After placing a 911 or other emergency call, place a follow-up call to Edgewood College's Security Office at 608-663-4321.

**Tornado**

A tornado warning will be activated for Edgewood College in any of the following situations:

- A tornado warning for our area is announced on the weather radio;
- A tornado is reported as sighted for our area;
- The Dane County emergency sirens outside are activated.
- All individuals should move to designated shelter areas (hallways, basements) MOVE AWAY

FROM THE WINDOWS. Remain in those areas until a designated College official gives the “all clear.”

## 7. RIGHTS AND RESOURCES FOR VICTIMS

### A. VICTIM RIGHTS

- Victims have the right to report to law enforcement and to be assisted by Edgewood College campus authorities in so doing. Victims also have the right to decline to report to law enforcement.
- Victims have the right to report the crime to Edgewood College and are encouraged to report to the offices designated to receive complaints: The Dean of Students Office. Victims also have the right to decline to report the crime to the college.
- Victims have the right to a victim advocate of their choosing. The Rape Crisis Center and Domestic Abuse Intervention Services both provide free and confidential victim advocacy services.
- Victims have the right to be notified, in writing, of existing resources for counseling, mental health, health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available both on campus and in the community.
- Victims shall be notified of options for assistance with changing their housing, transportation, and/or working situations. Protective measures can be provided if requested by the victim and such accommodations are reasonable and available. These services and accommodations can be provided regardless of whether the victim chooses to report the crime to campus security or local law enforcement.
- Victims have the right to request confidentiality from the accused.
- Victims have the right to be free from retaliation for filing an institutional complaint/report.
- Victims have the right to file a complaint with the U.S. Department of Justice and/or the U.S. Department of Education Office for Civil Rights.

### B. RIGHTS WHEN A VICTIM REPORTS TO A WISCONSIN LAW ENFORCEMENT AGENCY

- All victims of crime in Wisconsin who report to law enforcement are entitled to crime victim rights outlined on Chapter 950 of the Wisconsin Statutes. These rights include: the right to be treated with fairness, dignity, and respect for his or her privacy by public officials, employees, or agencies; the right to have his or her interest considered when the court is deciding whether to grant a continuance in the case; the right to be provided with appropriate intercession services to ensure that employers of victims will cooperate with the criminal justice process in order to minimize an employee’s loss of pay and other benefits resulting from court appearances; and the right to have the opportunity to consult with the prosecution in a case brought in a court of criminal jurisdiction.
- Crime victims in the state of Wisconsin have the right to apply for Crime Victim Compensation, which helps pay for unreimbursed expenses that are the result of causing personal injury of death, including lost wages, counseling, medical costs, and replacement of property held as evidence.

## **C. RIGHTS WHEN SEEKING SEXUAL ASSAULT FORENSIC NURSE EXAMINER (FNR) (formerly known as SANE) SERVICES**

- Victims may obtain a sexual assault medical forensic examination without incurring full out of pocket costs for that exam regardless of their decision to report to law enforcement. In Madison, this exam can be obtained from the Meriter Hospital Sexual Assault Nurse Examiner program. If you seek additional medical attention, other hospital charges may apply.
- Victims of sexual assault who seek emergency services at a hospital have the right to be provided with the option to receive emergency contraception at the hospital per Wisconsin Statute 50.375.

## **D. RIGHTS WHEN ALCOHOL IS INVOLVED**

- Students who report a safety concern or certain policy violations will not face documented sanctions from the student conduct process for violating College policy if the intent in reporting is in good faith and is to ensure the safety/well-being of self or others.

Good faith is shown when a student comes forward to seek assistance or to report an incident and not primarily to avoid consequences. For example, a student who has violated the alcohol/drug policy but comes forward out of concern for the safety of a fellow student will not face student conduct sanctions.

In lieu of student conduct sanctions, the intoxicated student (and possibly the referring student) will be required to meet with the Assistant Vice President of Student Developments/Director of Student Conduct, or designee, and/or the alcohol and drug counselor, for an alcohol and drug clinical assessment. This is not a student conduct sanction. The purpose of the meeting and alcohol assessment is to minimize the chances of future safety risk or other serious alcohol/drug incidents through education. Failure to complete educational requirements or treatment recommendations issued under this protocol will result in the reinstatement of student conduct charges.

This Good Samaritan/Medical Amnesty Policy does not preclude disciplinary action regarding other violations of College policies, such as causing or threatening physical harm, sexual misconduct/relationship violence as a respondent, damage to property, harassment, hazing, etc. Students should also be aware that this College policy does not prevent action by local and state authorities.

## **E. RIGHTS IN THE STUDENT DISCIPLINARY PROCESS**

Throughout the investigation, the parties have an equal opportunity to present relevant witnesses and other evidence.

The College uses a preponderance of the evidence standard in all proceedings.

If one party has lawyers or other advisors at any stage of the proceedings, the other party will be given the same opportunity. Any school-imposed restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings also apply equally. The cost of legal counsel is to be

borne by the student. The role of legal counsel is limited to consultation with the student involved, and therefore, counsel is not permitted to speak or participate directly in the proceedings.

If applicable, third-party expert testimony will be considered from both parties.

All parties are entitled to appeal the outcome of the investigation and student conduct process in sexual misconduct and relationship violence cases.

All parties in sexual misconduct and relationship violence cases are notified, in writing, of the outcome of both the case and any appeal. (Regardless of which party files for an appeal, both the complainant and the respondent will be informed of the status of the appeal request, processing and outcome.)

Respondent will be notified in writing of the guidelines and process for reinstatement to the institution, if applicable.

## **F. CONFIDENTIALITY**

To the extent permissible by law, Edgewood College will endeavor to keep victim information private. However, once a report is made to the College or the College has notice of an incident of sexual assault, domestic violence, dating violence, or stalking, confidentiality cannot be guaranteed unless that information is reported directly to one of the confidential resources listed below.

For victims who report to non-confidential sources, relevant information will be shared only with those who need to know, such as the Title IX Coordinator, deputy coordinators, complaint investigators, and other individuals who are responsible for handling the school's response to incidents of sexual violence. In the case of minors (under age 18), Edgewood College employees must report child abuse cases to Child Protective Services or local law enforcement.

In an effort to protect victim safety and privacy, Edgewood maintains information about sexual violence in a secure manner. If the College has notice of an incident, Edgewood will balance the victim's request to keep identifying information confidential with the Title IX mandate to investigate hostile environments. Edgewood will redact a victim's identifying information when responding to requests for information pursuant to the Wisconsin Public Records Law and federal Family Educational Rights and Privacy Act (FERPA), which governs the disclosure of student educational records. Edgewood must respond to court ordered subpoenas that are not prohibited by other applicable law and may not be able to redact information when responding to a subpoena. Victims have the option to access confidential on-campus resources such as Health Services, Personal Counseling Services, the Rape Crisis Center advocate/counselor, and/or the Employee Assistance Program. Additionally, Accessibility & Disability Services staff and interpreters do not disclose reports of prior victimization that they become aware of as part of the disability process or when providing translation services. Victims also have the option of accessing off-campus resources such as a Sexual Assault Nurse Examiner at Meriter or Domestic Abuse Intervention Services.

## G. SEXUAL ASSAULT NURSE EXAMINER PROGRAM

### **FORENSIC NURSE EXAMINER (FNE)/SANE Program at Meriter Hospital**

Meriter Hospital, within the Emergency Department at 202 S. Park Street, Madison, WI 53715  
608-417-5916

The Sexual Assault Forensic Nurse Examiner Program strives to help victims of sexual assault begin the healing process. Since 1988, the FNE Program has provided care to victims of all ages, races and populations. Located within Meriter's Emergency Department, FNE provides care 24 hours a day, 7 days a week. It is the only program of its kind in Dane County.

Registered nurses who have advanced education and instruction in medical-forensic examination and in psychological and emotional trauma staff the SANE Program. FNE nurses are also available to speak to groups and organizations and may provide expert testimony in a court of law.

Regardless of when the assault occurred, we encourage all victims to seek medical services to discuss both short-term and long-term health concerns.

#### **Care Provided by the FNE Program**

Meriter recognizes that this is a frightening, traumatic time for victims. FNE nurses will provide a safe, compassionate exam and empower the patient to determine their plan of care, including:

- Emotional support
- Physical examination and wellness check
- Collection of medical-forensic evidence
- Assistance with reporting the crime to police, when requested (reporting is mandatory for children)
- Assistance with concerns about sexually transmitted infections and pregnancy
- Assistance with safety planning
- Development of a medical follow-up plan

#### **Follow-Up Care**

After the exam, a FNE nurse will call the patient to discuss any lab test results and may refer the patient to professionals who can provide additional services including:

- The Dane County Rape Crisis Center for assistance with crisis intervention, advocacy, and counseling
- The Crime Victim Compensation Fund, which provides reimbursement for medical care, clothing, lost wages, and other losses due to the assault
- Health care providers for follow-up medical care. With the patient's consent, SANE will provide all lab and exam results to the primary care provider.

**Insurance/Patient Fees**

Meriter accepts all commercial insurance providers such as Physicians Plus Insurance Corporation, Dean Health Plan, Group Health Cooperative and Unity Health Plans, as well as Medicare and Medicaid. If the patient does not have medical coverage, they may be eligible for assistance from the Crime Victim Compensation Fund or the Uncompensated Care Program through Meriter. However, Meriter will help all patients regardless of ability to pay.

A referral is not needed to be seen by a FNE nurse.

**H. ADDITIONAL SEXUAL ASSAULT RESOURCES ON CAMPUS****Health Services**

Dominican 123B, 608-663-8334  
Suzanne Wallace, Director of Health Services

**Personal Counseling Services**

Dominican 122B, 608-663-4148  
Megan Cobb-Sheehan, Director of Personal Counseling Services

**Rape Crisis Center (on campus 15 hours/week)**

Dominican 122, 608-251-7273  
Campus Counselor & Advocate

**Edgewood College Security Department**

Weber Hall, 608-663-6901  
Jack Leskovar, Director of Security & Risk Management

**Dean of Students Office**

Predolin 215, 608-663-2235  
Matthew Sullivan, Interim Vice President of Student Development

**Edgewood College Financial Aid**

DeRicci 210A, 608-633-2305  
Kari Gribble, Associate Vice President for Enrollment Management

**Study Abroad & International Student Services**

Predolin 341, 608-663-2277  
Sara Liang, Director of Study Abroad & International Student Services

## I. RESOURCES

### Agencies / Organizations / Services

- National Domestic Violence Hotline: 1-800-799-7233
- U.S. Dept. of Justice Office on Violence Against Women
- WI Coalition Against Domestic Violence
- WI Dept. of Justice Office of Crime Victim Services
- WomensLaw.org – A “nationwide online resource for women and girls living with or escaping domestic violence,” which provides specific information to each state. Learn how to file for a restraining order, locate domestic violence resources, or find legal assistance programs.

### Children

- Child Abuse, Neglect & Abandonment (WI State Law Library) – Annotated list of links related to child abuse, etc.

### Directories

- Finding Help: Legal Resources in Dane County (Domestic Abuse Intervention Services)
- WI Victim Resource Directory (WI Dept. of Justice)

### Reporting

- Adult Abuse Reporting Requirements for All WI Professionals (WI Coalition Against Domestic Violence)
- Reporting of Domestic Violence by Health Care Providers (WI Coalition Against Domestic Violence)

### Surrender of Firearms

- Firearms Surrender Laws (WI Coalition Against Domestic Violence)
- WI Prosecutor’s Domestic Abuse Reference Book (WI Dept. of Justice)

### Domestic Abuse

- WI Prosecutor’s Domestic Abuse Reference Book (WI Dept. of Justice)
- Arrest and Prosecution in Domestic Abuse Incidents (WI Legislative Council)
- Consumer Rights Screening Tool for Domestic Violence Advocates and Lawyers (Nat’l Consumer Law Center) o Family Violence Publications (Nat’l Council of Juvenile & Family Court Judges)
- Managing your Divorce: A Guide for Battered Women (Nat’l Council of Juvenile & Family Court Judges)
- WI Prosecutor’s Domestic Abuse Reference Book (WI Dept. of Justice)

### The Law (Additional statutes, regulations & opinions may apply to your specific situation.)

- WI Statutes: s. 813.12 “Domestic Abuse Restraining Orders and Injunctions”
- WI Statutes: s. 813.122 “Child Abuse Restraining Orders and Injunctions”
- WI Statutes: s. 968.075 “Domestic Abuse Incidents” \* WI Statutes: s. 995.67 “Domestic Abuse Services; Prohibited Disclosures”



### **For More Information**

Relevant sections of the Wisconsin Statutes may be downloaded at [www.legis.state.wi.us/rsb/stats.html](http://www.legis.state.wi.us/rsb/stats.html). Key sections include 813.12, Domestic abuse restraining orders and injunctions, and 940.32, stalking.

For information regarding stalking, domestic abuse, or restraining orders and injunctions, contact the Wisconsin Department of Health and Family Services, Domestic Abuse Division at 608-266-9305 or the office of your County District Attorney.

## **J. REGISTERED SEX OFFENDERS**

In 1997, the State of Wisconsin enacted the Sex Offender Registration and Community Notification Law. This law was created to monitor and track people convicted of sex crimes and to provide access to this information to police, victims and the public. Information about registered sex offenders can be found at <http://offender.doc.state.wi.us/public>

## **K. INFORMATION ABOUT SEXUAL PREDATORS – WISCONSIN DEPARTMENT OF JUSTICE**

### **[www.vinelink.com](http://www.vinelink.com)**

Information about offenders' custody or release & receive notices

### **[www.WIVictimsVOICE.org](http://www.WIVictimsVOICE.org)**

Crime victims can enroll to receive important information about offenders who committed a crime against them.

### **[www.widocoffenders.org](http://www.widocoffenders.org)**

Provides public access to certain information about sex offenders. The public can search by offender name, an address or sex offenders within a zip code area. Only sex offenders convicted and registered with the Wisconsin Department of Corrections authority are listed here.

You can search for specific individuals using the Dru Sjodin National Sex Offender Public Website, which is located within United States Department of Justice Web-site. This website will allow for the searching all the sexual predators throughout the United States.

## L. AVAILABLE OPTIONS

### **Step 1: Seek Support**

There are people on campus who victims can talk to. Victims can call or visit any of the following professional staff confidentially and inform them of what happened. They will listen, provide support, and explain options.

Talking to these people does not constitute reporting the incident to the College:

#### **Confidential Support Contacts**

Personal Counseling Services, 608-663-4148

Health Services, 608-663-8334

Dominican Life and Mission, 608-663-3451

#### **Non-Confidential Support/Reporting Contacts**

Dean of Students Office:

Interim Vice President of Student Development: Matthew Sullivan, 608-663-2235

Vice President of Administration/ Chief Human Resources Officer / Title IX Coordinator: Arhelia Dalla Costa Behm, 608-663-2387

Academic Dean's Office: 608-663-2200,

Director of Security & Risk Management: Jack Leskovar, 608-663-6901

All non-confidential employees who are aware of sex-based harassment, sexual assault, or relationship violence are required to report the information to a designated support/reporting contact. Upon receipt of a report of sexual misconduct or relationship violence, the support contact will assist the student in getting to a safe place and may seek the assistance of Campus Security. Additionally, the support contact will encourage the student to seek prompt medical attention for treatment of injuries and preservation of evidence, discuss the reasons why prompt medical treatment is important, and arrange for transportation to the hospital if the student agrees to such medical treatment. The support contact will notify the Title IX Coordinator and other responsible College officials of the report consistent with the student's desire for confidentiality. Unless the student requests confidentiality, the Title IX Coordinator will inform Campus Security and provide the name of the reporting party. Campus Security will contact the City of Madison Police Department. The student will have the option to file a criminal report. Campus Security will offer assistance if the student elects to contact the police. Declining to speak with Campus Security or the police at the time of the initial report does not preclude the student from filing a report later.

The support contact or Title IX Coordinator will provide referrals for counseling and other support services for the student. The student shall also receive information regarding the College student conduct process (see step 3).

Please visit the Edgewood College website for additional support, training information, College and local

resources, and campus programming opportunities at [www.edgewood.edu](http://www.edgewood.edu)

**Step 2: Filing a complaint with the City of Madison Police Department or other law enforcement agency is highly encouraged, but not required.**

The person with the complaint may request that an Edgewood College representative assist them in reporting to the Police Department, and throughout the process. Law enforcement may always be contacted, regardless of any other actions the person chooses to take under this policy. It is important to preserve evidence as it may be necessary to prove criminal sexual assault.

**Step 3: Filing a Complaint/Grievance Procedure with the College.**

If the student desires to initiate a complaint, the support contact shall immediately notify the Dean of Students' Office. The Dean of Students' Office will schedule a meeting with the student to discuss the complaint process, internal and external support services, and other support such as options regarding academic or living arrangements or a no-contact order. These options will be made available to the student regardless of whether the student proceeds with a formal complaint/grievance under College policy or a criminal report or complaint with the police.

In cases of reported sexual violence, the College will continue its internal investigation regardless of whether or not the complainant files a criminal complaint and/or wants the school to take action. Moreover, if the college knows about a possible sexual harassment or sexual violence incident, it will promptly investigate the allegations to determine what occurred and to decide if further action is necessary.

In instances in which a student 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, whether there have been other complaints about the same individual, and the alleged perpetrator's rights to receive information maintained in education records covered by the Family Educational Rights and Privacy Act. Confidential staff members available to consult with students are listed in this policy. However, all other College personnel have an obligation to report and investigate information regarding sexual misconduct incidents that come to their attention where they know (or a reasonable person should have known) that such conduct may have occurred. Even if a student refuses to file a complaint with the College or the police or participate in a disciplinary proceeding, the College may still proceed if it has enough information.

Persons who believe that they are being or have been subjected to discrimination and/or sexual misconduct are encouraged to seek support and resolution as soon as possible after an incident.

If one chooses to proceed with a complaint, the process begins with:

- For students who are filing a complaint, the report must be made to the office of the Dean of Students.
- For faculty who are filing a complaint, the report must be made to the office of the Academic Dean.

- For non-faculty staff members who are filing a complaint, the report must be made to the Director of Human Resources.

If the complaint involves a combination of faculty, staff and students, the complainant can report to any office that corresponds with their affiliation or the respondent's affiliation. For example, students who wish to file a complaint against a faculty member could go to either the Dean of Students' Office or the Academic Dean's Office. Deans of the different academic schools will become involved in pursuing complaints as appropriate. The complaint may initially be communicated either orally or in writing. However, to move forward as a formal complaint, the filing of the complaint must be documented in writing.

As needed, the Dean of Students' Office, the Academic Deans Office, and Human Resources will work closely together and will consult with Edgewood College Cares (behavioral intervention team), when appropriate concerning alleged discrimination or sexual misconduct.

The College will work with both parties (the complainant and respondent) to assign a designated support person throughout the complaint process. Either party may refuse the assistance of a support person, but the offer must be made. Formal complaints will be thoroughly investigated with support from Campus Security as appropriate.

All respective offices will inform the Title IX Coordinator of any reported allegations. The Title IX Coordinator will remain a neutral administrator in the disciplinary process involving sexual misconduct allegations. The Title IX Coordinator will work with all involved parties and will be responsible for making certain that all reported grievances are managed in accordance with the Sexual Misconduct and Relationship Violence Policy. The Title IX Coordinator will not ultimately determine if a policy violation occurred. The Title IX Coordinator will:

- Maintain confidential records.
- Make certain that information is only shared as necessary with investigators, witnesses, and the accused individual.
- Issue timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the College community. In these instances, every effort will be made to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safe decisions in light of the danger.

If one of these College officers is alleged to be the person who engaged in sexual misconduct, the written report may be filed with the office of the President. If there is a complaint against the College President, the complaint will be investigated by the Board of Trustees, whose decision is final. Once a report is made, the College will conduct an investigation and issue sanctions, if appropriate.

#### **Step 4: College Response Options**

The College's primary concern is safety for members of our community. Students are encouraged to report suspected violations of this policy to promote the health and welfare of our community. In general, a student reporting an incident or complaint under this policy will be given amnesty for

potential related code violations (e.g. alcohol or drug use) because such conduct never makes the victim at fault for sexual violence.

The College's response will depend on the nature and severity of the incident and whether or not it can be determined that a policy violation has occurred. If it appears that a policy violation has occurred, the regular student conduct process should be followed. The range of responses includes, but is not limited to:

- Intervention by supervisor or appropriate authority.
- Individual meeting with option of support person in attendance
- Facilitated conversation or mediation (not available for sexual assault cases)
- Educational activity
- No Contact Order between complainant and respondent. Edgewood College students or employees who are issued a No-Contact Order, restraining order, or similar relief from a court should contact the Campus Security Director. The Campus Security Director will notify appropriate College officials and the parties to coordinate compliance. Examples of steps that may be taken to comply with such orders include changing class schedules and living arrangements.
- The college must assist with modifying academic and living arrangements, transportation, or working conditions if requested by the victim and are reasonable and available. These accommodations are available regardless if the victim reports the incident to the police department.
- Disciplinary action, if appropriate. Public Service for a person found to have violated these policies.
- Referral to law enforcement when there is danger or threat to community and/or when requested by victim.
- Obtaining a Restraining Order for the victim. The Security Department will inform the victim how they may obtain a Restraining Order and if they wish, assist them with obtaining the order. The Dane County Court System located in the Dane County Public Safety Building issues restraining Orders.
- Increased Security Department protection when requested by the victim, such as Safe Walks, Safe Rides, increased security patrols, and security escorts.
- No action at that time.

#### **Step 5: Student and Employee Notice of Rights.**

When a student or employee notifies the college that they were a victim of Dating Violence, Domestic Violence, Sexual Assault or Stalking the college will provide a written explanation of the student's or employee's rights and options.

#### **What if I want legal help?**

Edgewood College does not provide attorneys or legal assistance. There are legal resources available in the Madison community:

**Domestic Abuse Intervention Services (DAIS)**

DAIS has a legal advocacy program for victims of sexual assault, domestic violence, dating violence and/or stalking.

Office: 608-251-1237

608-251-4445 or toll-free at 1-800-747-4045 (24 hours)

[info@abuseintervention.org](mailto:info@abuseintervention.org)

**The Dane County District Attorney's Office Victim Witness Unit**

This unit is designed to assist victims and witnesses throughout the criminal court process by answering questions, keeping victims and their families informed of case development, providing information and referrals to community service providers, assisting with restitution, and offering personal assistance when possible.

215 S. Hamilton St. #3000,

Madison, WI 53703-3297

Phone: 608-266-9003

Fax: 608-261-9766

[www.countyofdane.com/da/victim\\_witness.aspx](http://www.countyofdane.com/da/victim_witness.aspx)

**State Bar of Wisconsin Lawyer Referral and Information Service**

Is offered by the State Bar of Wisconsin and is a public service that helps identify the most appropriate resources for people with a legal problem. A legal assistant will provide referrals to area attorneys who have an interest in the relevant legal situation.

State Bar of Wisconsin Lawyer Referral and Information Service

1-800-362-9082

<http://www.wisbar.org/forpublic/ineedalawyer/pages/lris.aspx>

**Information about Sex Offenders**

The federal Campus Crimes Prevention Act requires institutes of higher education to issue a statement to the campus community about where to find information about registered sex offenders in the state. In Wisconsin, convicted sex offenders must register with the Department of Corrections.

The registry can be found at [www.offender.doc.state.wi.us/public](http://www.offender.doc.state.wi.us/public)

# 8. THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

## A. THE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Act (The Clery Act) requires Edgewood to provide students and employees with information on its security policies and procedures and specific statistics criminal incidents, arrests and disciplinary referrals and to make the information available to perspective students and employees upon request. The information is available by calling the Edgewood Security Department or online at the Edgewood College Security website.

## B. CRIME STATISTICS

The crime statistics reported under the Jeanne Clery Act include the following:

- Criminal homicide (murder, non-negligent homicide)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

Hate Crime's reported

Larceny - Theft

- Intimidation
- Destruction/damage/Vandalism to property
- Simple Assault

Sex Offences - Dating Violence - reported

- Rape – Sexual Assault
- Stalking
- Domestic Violence

Crime statistics are published annually and cover the three previous calendar years. Additional information regarding these statistics is available from the Campus Security Department, Weber Hall, and 1000 Edgewood College Drive, Madison, WI 53711.

These statistics follow the uniform crime reporting procedures of the Federal Bureau of Investigation.

They should be considered in relation to the occurrences of crime in society generally, college demographics and statistics from other institutions of similar description.

Crime statistics for the most recent three-year period are compiled from information obtained from the Campus Security Department, Madison Police Department, Dean of Students Office, Residence Life, Personal Counseling Services (without identifying information), and Campus Reporting Authorities as designated each year.

The Edgewood College Security Department (Director of Security or their designee) is responsible for the sorting, tabulation and dissemination of information for the Campus Security Act Incidents.

The statistics do not reflect any reports that might have been made to other departments or individuals at Edgewood College unless those individuals or departments informed campus security of the incident. Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Pastoral or professional counselors when acting as a counselor are not required to report any crimes or incidents; however, Edgewood encourages its counselors to provide “statistical information” of the number of sexual assault incidents at the end of each semester.

Edgewood College consists of two locations, the main campus on Monroe Street and the Family Center located on Excelsior Drive. The main campus is bordered by City of Madison Streets, Woodrow Avenue to the west, and Monroe Street to the north, Edgewood Avenue to the East and Park and Pleasure Drive to the south. The Family Center has only Excelsior Drive for public access. The main campus has on average 400 resident students during the academic year. The Family Center has no resident students.

## **C. DEFINITIONS OF REPORTABLE CRIMES**

### **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 into a structure to commit a felony or theft.

### **Larceny**

The unlawful taking, carrying, leading, or riding away of property from the possession of another.

### **Aggravated Assault**

An unlawful attack by one person upon another for inflicting severe or aggravated bodily injury. This type of assault is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious injury if the crime were successfully completed).



**Simple Assault**

An unlawful physical attack by one person upon another where neither the offender displays a weapon, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle (classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joy riding).

**Intimidation**

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

**Vandalism**

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

**Criminal Homicide: Murder by Non-Negligent Manslaughter**

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

**Criminal Homicide: Negligent Manslaughter**

The killing of another through gross negligence.

**Theft**

The unlawful taking, carrying, leading, or riding away property from the possession or constructive possession of another.

**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.

**Threats: Intimidation (includes stalking)**

To unlawfully place another person in reasonable fear of bodily harm using threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Sex Offenses: Forcible**

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

**Rape**

The penetration, no matter how slight, of the vagina, or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.

**Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of temporary or permanent mental incapacity.

**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.

**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 their age or because of 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 their age or because of his/her temporary or permanent mental or physical incapacity.

**Weapon Law Violations**

The violations of laws or ordinances dealing with weapons offenses, regulatory in nature, such as: manufacture, sale, or possession, carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned Weapons include: firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons

**Liquor Law Violations**

The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing or use of alcoholic beverages.

**Drug Abuse Violations**

Violations of State and local laws prohibiting the production and/or use of certain controlled substances and the devices utilized in their preparation and/or use. This includes; unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. Drugs include but are not limited to: The relevant substances include opium or cocaine and their derivatives (morphine, heroin, and codeine), marijuana, synthetic narcotics (Demerol, methadone), and dangerous non-narcotic drugs (barbiturates, Benzedrine). Hate Crime

A criminal offense reported to the police department or college security department that manifests evidence that the victim was intentionally selected because the perpetrator's bias against the victim. For the purposes of the Clery Act, the categories of bias that may serve as the basis for determination that a crime is a hate crime would include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin and disability.

### **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. Here are some examples: unwelcome communication, (such as face-to-face communication, social media/ electronic communication, written letters, or gifts), threatening or obscene gestures.

## **D. CLERY UPDATE**

On March 7, 2013, President Obama signed the Violence against Women Reauthorization Act of 2013 (VAWA) otherwise known as the Clery Act. These statutory changes require institutions to compile statistics crimes that are reported to campus security authorities or local police agencies including incidents of sexual assault, domestic violence, dating violence, and stalking.

### **Clery locations that are reported:**

Crimes that are reported to have occurred outside of the following locations are not included in this report. The four federally defined locations are:

#### **On Campus Property**

Is defined as any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to above that is owned by the institution but controlled by another person, frequently used by students, and supports institutional purposes (such as a food or retail vendor.)

#### **On-campus student housing**

Is defined as any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up campus.

#### **Non-campus property**

Is defined as any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property that is owned or controlled by an institution that is used in direct support of, or in relations to, the institution's educational purposes, is frequently used by the students and is not within the same reasonably contiguous geographic area of the institution. This category includes property that is outside of Madison, outside of Wisconsin and outside of the United States.

#### **Public Property**

is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities,

that is within the campus, or immediately adjacent to and accessible from campus.

## E. CAMPUS CRIMINAL OFFENSES

### Monroe Street Campus - Criminal Offense 2019 (calendar year)

Criminal Offense		On Campus	Residential Facilities	Non-Campus	Public Property	Total
Criminal Homicide	Murder & non-negligent manslaughter	0	0	0	0	0
	Negligent Manslaughter	0	0	0	0	0
Sex Offenses	Rape	1	1	0	0	1
	Fondling	0	0	0	0	0
	Incest	0	0	0	0	0
	Statutory Rape	0	0	0	0	0
Robbery		0	0	0	0	0
Aggravated Assault		0	0	0	0	0
Burglary		0	0	0	0	0
Motor Vehicle Theft		0	0	0	0	0
Arson		0	0	0	0	0
Arrest	Liquor	0	0	0	0	0
	Drugs	0	0	0	0	0
	Weapon	0	0	0	0	0
Discipline	Liquor	93	93	0	0	93
	Drugs	22	22	0	0	22
	Weapon	0	0	0	0	0
Dating Violent		0	0	0	0	0
Stalking		1	1	0	0	1
Domestic Violence		0	0	0	0	0

**The Family Center - Criminal Offense 2019**

Criminal Offense		On Campus	Residential Facilities	Non-Campus	Public Property	Total
Aggravated Assault		0	0	0	0	0
Arson		0	0	0	0	0
Burglary		0	0	0	0	0
Manslaughter		0	0	0	0	0
Murder		0	0	0	0	0
Motor Vehicle Theft		0	0	0	0	0
Robbery		0	0	0	0	0
Sexual Assault	Force	0	0	0	0	0
	Non-Force	0	0	0	0	0
Arrest	Liquor	0	0	0	0	0
	Drugs	0	0	0	0	0
	Weapon	0	0	0	0	0
Discipline	Liquor	0	0	0	0	0
	Drugs	0	0	0	0	0
	Weapon	0	0	0	0	0
Vandalism		0	0	0	0	0

**Monroe Street Campus - Criminal Offense 2020 (calendar year)**

Criminal Offense		On Campus	Residential Facilities	Non-Campus	Public Property	Total
Criminal Homicide	Murder & non-negligent manslaughter	0	0	0	0	0
	Negligent Manslaughter	0	0	0	0	0
Sex Offenses	Rape	0	0	0	0	0
	Fondling	0	0	0	0	0
	Incest	0	0	0	0	0
	Statutory Rape	0	0	0	0	0
Robbery		0	0	0	0	0
Aggravated Assault		0	0	0	0	0
Burglary		0	0	0	0	0
Motor Vehicle Theft		0	0	0	0	0
Arson		0	0	0	0	0
Arrest	Liquor	0	0	0	0	0
	Drugs	0	0	0	0	0

	Weapon	0	0	0	0	0
Discipline	Liquor	44	44	0	0	44
	Drugs	6	6	0	0	6
	Weapon	0	0	0	0	0
Dating Violent		0	0	0	0	0
Stalking		0	0	0	0	0
Domestic Violence		0	0	0	0	0

**The Family Center - Criminal Offense 2020**

Criminal Offense		On Campus	Residential Facilities	Non-Campus	Public Property	Total
Criminal Homicide	Murder & non-negligent manslaughter	0	0	0	0	0
	Negligent Manslaughter	0	0	0	0	0
Sex Offenses	Rape	0	0	0	0	0
	Fondling	0	0	0	0	0
	Incest	0	0	0	0	0
	Statutory Rape	0	0	0	0	0
Robbery		0	0	0	0	0
Aggravated Assault		0	0	0	0	0
Burglary		0	0	0	0	0
Motor Vehicle Theft		0	0	0	0	0
Arson		0	0	0	0	0
Arrest	Liquor	0	0	0	0	0
	Drugs	0	0	0	0	0
	Weapon	0	0	0	0	0
Discipline	Liquor	0	0	0	0	0
	Drugs	0	0	0	0	0
	Weapon	0	0	0	0	0

**Monroe Street Campus - Criminal Offense 2021 (calendar year)**

Criminal Offense		On Campus	Residential Facilities	Non-Campus	Public Property	Total
Criminal Homicide	Murder & non-negligent manslaughter	0	0	0	0	0
	Negligent Manslaughter	0	0	0	0	0
Sex Offenses	Rape	1	1	0	0	1
	Fondling	0	0	0	0	0
	Incest	0	0	0	0	0
	Statutory Rape	0	0	0	0	0
Robbery		0	0	0	0	0
Aggravated Assault		0	0	0	0	0
Burglary		1	1	0	0	1
Motor Vehicle Theft		0	0	0	0	0
Arson		0	0	0	0	0
Arrest	Liquor	0	0	0	0	0
	Drugs	0	0	0	0	0
	Weapon	0	0	0	0	0
Discipline	Liquor	54	54	0	0	54
	Drugs	13	13	0	0	13
	Weapon	0	0	0	0	0
Dating Violent		3	3	0	0	3
Stalking		0	0	0	0	0
Domestic Violence		0	0	0	0	0

Also note: Crimes can only be listed if they occurred on campus according to the US Department of Education. Crimes that occur off campus and are reported to Madison Police or other law enforcement agencies. Those crimes are reported in their annual FBI crime report.

**The Family Center - Criminal Offense 2021**

Criminal Offense		On Campus	Residential Facilities	Non-Campus	Public Property	Total
Criminal Homicide	Murder & non-negligent manslaughter	0	0	0	0	0
	Negligent Manslaughter	0	0	0	0	0
Sex Offenses	Rape	0	0	0	0	0
	Fondling	0	0	0	0	0

	Incest	0	0	0	0	0
	Statutory Rape	0	0	0	0	0
Robbery		0	0	0	0	0
Aggravated Assault		0	0	0	0	0
Burglary		0	0	0	0	0
Motor Vehicle Theft		0	0	0	0	0
Arson		0	0	0	0	0
Arrest	Liquor	0	0	0	0	0
	Drugs	0	0	0	0	0
	Weapon	0	0	0	0	0
Discipline	Liquor	0	0	0	0	0
	Drugs	0	0	0	0	0
	Weapon	0	0	0	0	0

**- Hate Crimes – Main campus**

Criminal Offense	2019	2020	2021
Larceny/Theft	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Vandalism	0	0	0

**The Family Center - Hate Crimes**

Criminal Offense	2019	2020	2021
Larceny/Theft	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Vandalism	0	0	0

For each hate crime recorded under this section, we must identify the category of bias that motivated the crime. The Categories are:

- Race
- Gender
- Gender Identity
- Religion
- Sexual Orientation
- Ethnicity
- National Origin



Disability

Crimes must be recorded; (a) on campus, (b) in or on a non-campus building, (c) on public property, Residential Facilities.

## F. HATE CRIME REPORTING -

### **Subject: RE: Clery/non Clery Reported Incidents from Madison Police Department**

Note the City of Madison Police Department Statistics reflect the Edgewood College Campus, High School, City of Madison Streets adjacent and contiguous to the campus. The City of Madison does not break down statistics specifically occurring directly on the college campus. Hierarchy Rule

For the purposes of reporting crimes, when more than one criminal offense is committed during a single incident, only the most serious offense is to be included in the institution's Clery Act statistics.

### **Note**

Clery rules prohibit an educational institution to remove or subsequently remove a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official.

### **Crimes Reported**

All crimes (categories listed above) that are reported to a campus security authority are included in the annual report.

## G. MADISON POLICE DEPARTMENT

City of Madison Police Department Data for the Edgewood Main Campus and The Family Center.

Criminal Offenses	2019	2020	2021
Murder	X	0	0
Negligent Manslaughter	X	0	0
Forcible Sex Offenses	X	0	1
Robbery	X	0	0
Aggravated Assault	X	0	0
Burglary	X	0	0
Motor Vehicle Theft	X	0	0
Arson	X	0	0
Larceny - Theft	X	1	3
Simple Assault	X	0	0
Intimidation	X	0	0
Damage/Vandalism of Property	X	0	7
<b>Total</b>	<b>X</b>	<b>1</b>	<b>11</b>

In 2019, we requested Statistics from the Madison Police Department. Due to a number of demonstrations and events in the community they were too busy to provide the data.

Madison Police Tickets	2019	2020	2021
Liquor Law Violations	X	0	0
Drug Law Violations	X	0	0
Illegal Weapons Possessions	X	0	0
<b>Total</b>	<b>X</b>	<b>0</b>	<b>0</b>

## 9. TORNADO AND SEVERE WEATHER PROCEDURES

### A. DEFINITIONS

#### **Tornado Watch**

The weather conditions are right for a tornado to form, although funnel clouds have not yet been spotted.

#### **Tornado Warning**

A Tornado has been sighted, and/or the Dane County Weather Siren and the Campus Siren System are activated and/or the National Weather Service has issued a tornado warning, or campus personnel inform you.

#### **All Clear**

Weather conditions are such that the threat of a tornado is no longer in existence.

### B. WEATHER WATCHES AND WARNINGS

#### **When a Tornado Watch is in Effect:**

1. Monitor weather and radio/local television stations.

#### **When a Tornado Warning is in Effect:**

1. If it appears that a tornado may affect the campus, the Campus Eagle Alert system will be activated, and the campus public address system will be activated under most circumstances.
2. Help direct people into the appropriate stairwells and shelter areas.
3. Once the emergency is officially finished, the public address system will be activated to inform the campus that business may resume.

#### **Weather Warnings**

We encourage you to purchase a NOAA weather radio and/or download an app for your mobile device, to allow you to weather aware.

## C. TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At Edgewood College, evacuation drills are used to educate and train occupants on issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the locations of exits and sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the College an opportunity to test the operation of the fire alarm components.

The Edgewood College Security Department, Residence Life Staff and the Campus Safety Office monitor evacuation drills. Reports are prepared by participating departments, which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments or officers for consideration.

Students receive information about evacuation and shelter-in-place procedures during their first floor meetings and during other educational sessions that take place throughout the year. Residence Life staff members are trained in these procedures and act as ongoing resource for resident students.

Edgewood College conducts announced and unannounced drills and exercises each year and conducts follow-up activities designed for assessment and evaluation of emergency plans and capabilities. Edgewood College coordinates announced and unannounced evacuation drills each semester, as described above, to test the emergency evacuation response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. Edgewood will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill each calendar year.

## D. 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 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 and seek an interior room until you are told that it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, Edgewood ID card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use stairs instead of elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If security, 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, including the Edgewood Security Department, Residence Life, or the Campus Assistance Center using the College's emergency notification tools.

### **How to Shelter-in-Place**

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

If you are inside, stay inside 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 take shelter in. It should be:

- An interior room;
- Above ground level; and
- Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
- Shut and lock all windows (for a 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 ventilation as quickly as possible.
- Make a list of people with you and ask a staff or faculty member to call the list into the Edgewood Security Department so they know 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, particularly if the event is weather related.
- Make yourself comfortable.

# 11. ANNUAL FIRE SAFETY REPORT

## A. EXPLANATION OF REPORT

The Higher Education Opportunity Act (HEOA) requires two new safety-related requirements on institutions that participate in federal student financial aid program which follow:

### **Fire Log**

Edgewood College Security Department is required to keep a fire log that states the nature of the fire, as well as the date, time, and general location of each fire in on-campus student housing facilities. Edgewood College complies with the rule by including all fire-related incidents in the Daily Crime and Fire Log.

### **Annual Fire Safety Report**

Any college or university with on-campus student housing facilities must publish annually a fire safety report that provides information on-campus fire safety practices and standards. Edgewood College complies with this regulation by including all fire-related incidents at on-campus student housing facilities as part of the Annual Security and Fire Safety Report. Information contained in this annual fire safety report include: number and cause of fires at all on-campus student housing facilities; number of fire-related deaths; related injuries; value of fire related property damage; evacuation procedures; fire safety education and training programs; fire safety systems in each student housing facility; number of mandatory supervised fire drills and policies on portable electrical appliance, smoking and open flames. The Annual Security and Fire Safety Report must include three years of data.

### **Fire Reporting**

If the fire occurs in any building, community members should immediately notify the Dane County 911 Center by dialing 9-1-1. Once that call has been made, the caller should contact Edgewood Security at 608-663-4321 on-campus phone or 608-663-4321 off campus.

The campus fire alarm systems alert community members of potential hazards. Community members are required to heed an activated alarm system, and evacuate a building immediately. Use the nearest available exit to evacuate the building. Gather outside at the designated area notated in the emergency posting for all facilities. Community members should familiarize themselves with the exits in each building.

At Edgewood College, six residential halls (Siena, Regina, Stevie, Marshall, Dominican, and Weber) are equipped with automatic sprinkler systems and fire alarm systems that are monitored 24 hours a day, seven days a week.

When a fire alarm is activated, the elevators will be recalled to a “safe floor” and will not activate after the alarm is sounded. Occupants should use the stairs to evacuate the building.

## **B. FIRE PROTECTION EQUIPMENT/SYSTEMS**

All residential buildings are equipped with automatic fire detection, alarm and suppression systems. A contracted vendor who will immediately contact the fire department to respond to the incident monitors all facilities: Dominican Hall, Marshall Hall, Regina Hall, Mazzuchelli Center, Weber Hall, Sonderegger, Predolin, DeRicci, Library, Siena, Stevie Hall, The Stream, and the Edgedome.

## **C. EVACUATION PROCEDURES**

If a fire is detected or the fire alarm sounds, evacuate the area. Isolate the fire by closing doors as you leave.

## **D. HEALTH AND SAFETY INSPECTIONS**

Residence Life and the Security Department conducts safety inspections of residence hall rooms each fall and spring. In addition, the College Safety Department conducts safety inspections of all facilities several times a year along with a member of the Madison Fire Department. The inspections include a visual examination of electrical cords, sprinkler heads, smoke detectors. In addition, each room is inspected for the presence of candles, halogen lamps, open coiled appliances, pets, and other prohibited items. Rooms are also inspected for prohibited activities such as smoking in the rooms, removal of door closers, unauthorized door locks, removal of exterior window screens, or tampering with emergency equipment. The inspections also include a general assessment of cleanliness of the room, including food and waste storage. Residents are notified of an upcoming inspection before it occurs.

Conditions warranting follow up are turned over to the Campus Safety Department and Residence Life.

## **E. EMERGENCY EVACUATION DRILLS**

The supervised scheduled drills in the residence halls are facilitated by the College Safety Department in cooperation with assigned college personnel. Various drills are conducted throughout the year to familiarize students, faculty and staff with the Emergency Procedures and individual roles.

A multi-departmental practice fire drill was held on Friday, November 2, 2018. All facilities on campus were evacuated as part of the drill. The drill included the Campus Emergency Response team and the Madison Fire Department.

The Edgedome was chosen as the facility for a simulated fire response drill. The building fire alarm system was activated at 11:15 am. The building was checked and completely evacuated within 3 minutes. Occupants were sent to their designated gathering area where a member of the Security Department response team checked them in. The Campus Assistance Center is radioed by security to contact 911. A call was made to the 911 center under practice conditions.

## **F. FIRE AND SAFETY EDUCATION**

All first-year students receive fire safety training when they arrive at Edgewood College during their

orientation period at the beginning of the academic school year. In addition, training is provided to all Residence Life staff at the beginning of the academic school year. The Campus Safety website and this publication serve as an additional resource for educating the campus community.

## G. RESIDENCE HALLS ON CAMPUS

Stevie Hall  
 Weber Hall  
 Regina Hall  
 Dominican Hall  
 Marshall Hall  
 Siena Hall

### Fire Systems in Residence Halls

	Siena	Dominican	Weber	Regina	Stevie	Marshall
Fire Alarms Monitored by College	X	X	X	X	X	X
Full Sprinkler System	X	X	X	X	X	X
Smoke Detection System	X	X	X	X	X	X
Fire Extinguisher Devices	X	X	X	X	X	X
Evacuation Plans Placards	X	X	X	X	X	X
Num. of Evacuation Drills Each Year	X	X	X	X	X	X

## H. FIRE DEFINITIONS

### Fire

Rapid oxidation of combustible material accompanied by heat, light and smoke of combustible material, which is found outside its normal appliance whether it is extinguished prior to the arrival of emergency personnel.

### Fire-Related Deaths

Numbers of persons who were fatalities of a fire incident, including death resulting from natural or accidental cause while involved in fire control, attempting a rescue, or persons escaping from the fire scene (statistics include anyone who dies within one year of injuries sustained because of a fire).

### Fire-Related Injuries

Number of persons receiving injuries from fire-related incidents, including an injury from a natural or accidental cause who received medical treatment at a local medical facility. This includes first responders, attempting to control the fire, attempting a rescue, or persons escaping from the fire scene. Persons may include students, faculty, staff, visitors, firefighters, or any other individuals.



### **Estimated U.S. Dollar Loss Related to Fire Incidents**

Estimated total U.S. loss of both contents and structure of property destroyed because of a fire incident. This does not include loss of business.

### **Evacuation Procedures Posted**

When a fire alarm is activated, evacuation is mandatory. Do NOT use elevators, evacuate the building using the nearest available exit and proceed to the building of refuge to begin an accountability and assessment process.

### **Buildings Equipped with Fire Alarm Systems and Smoke Detectors**

Buildings that have functional fire alarm systems and smoke detectors installed. Please note, all residence halls are equipped with these safety features.

### **Buildings Protected with Automatic Sprinkler System Throughout**

Indicates an automatic sprinkler system protects all areas of a building. Please note all residence halls are equipped with sprinkler systems throughout.

## **I. EDGEWOOD POLICIES RELATED TO FIRE SAFETY**

### **Candles/Flammable Materials/Incense**

Candles incense, oil lamps, etc., (anything using a wick or flame or consuming flammable material, including decorative candles, potpourri, simmer pots and Sterno cans), are not allowed in residence hall rooms or apartments. Violators are subject to disciplinary action and confiscation of the material. Storage of volatile materials or other flammables (e.g., gasoline) is not permitted. Objects should not be hung from sprinkler systems or pipes.

### **Electrical Appliances**

#### **Permitted**

Students may utilize electrical appliances in residence halls such as radio, tape recorder, television, personal computer, record player/CD player, coffee pot with automatic shutoff, personal lamp, fan, shaver, portable hair dryer, other personal care appliances, clocks, microwave ovens (not over 1000 watts) and compact refrigerators (not over 4.5 cubic feet).

#### **Not Permitted**

Students may not use heating or cooking appliances with open coils, halogen lights, air conditioners, space heaters, sun lamps, or electric blankets. Toasters, electric frying pans, hot plates, popcorn poppers, pizza ovens, Octopus lights and lamps without a metal shield are also prohibited. Check the student handbook for definitions of approved and prohibited items.

Due to potential fire hazards and power failure caused by overloaded circuits, electrical appliance usage must be limited. When three or more appliances are plugged into one outlet, it is required that students purchase and use UL approved power strips with surge protectors, which have multiple sockets. This helps prevent circuit overload and avoid personal injury and/or destruction of property. When electrical appliances and cords are used, they should be checked to ensure that they are UL approved. Electric extension cords are not to be used in a manner that may create a fire hazard (such as running a cord

under a rug or in a place where the insulation may be worn out). Tampering with electrical systems (e.g., installing dimmer switches, ceiling fans, or altering wiring) is prohibited for the safety of residents and for the general upkeep of the building.

### **Fire safety – Evacuation instructions**

All students and guests are expected to respond appropriately whenever a fire alarm is sounded. Each person is expected to observe the fire safety guidelines. Violators are subject to a student conduct process. Whenever an alarm is activated/ sounded:

- Leave lights on in the room
- Close and lock the door
- Leave the building using the nearest exit
- Remain outside until staff gives the all-clear sign

### **Smoking Policy**

Smoking, including the use of electronic delivery devices, is prohibited in all campus facilities and buildings, which includes residence halls and resident rooms.

“Electronic delivery device” means any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. This includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

- Smoking is prohibited within 25 feet of all buildings.
- All building entrances are to be smoke-free.
- It is unlawful to remove or destroy any “No Smoking” sign or to smoke in any “No Smoking” area.

### **Fire Safety Equipment**

Fire extinguishers, fire alarms, smoke detectors, sprinklers, and other fire and safety equipment are placed in the halls for the safety of residents in the building. Misuse of fire and safety equipment is a serious violation of both state and college codes.

### **Fire/Life Safety Inspections**

Throughout the academic school year, a residence life staff member will do a fire/life inspection of your room. Should a violation be found, you will receive a letter indicating what the violation was, and you will be expected to immediately comply. If the violations have not been corrected after the unannounced re-inspections, you will be subject to disciplinary action. Some common violations are as follows:

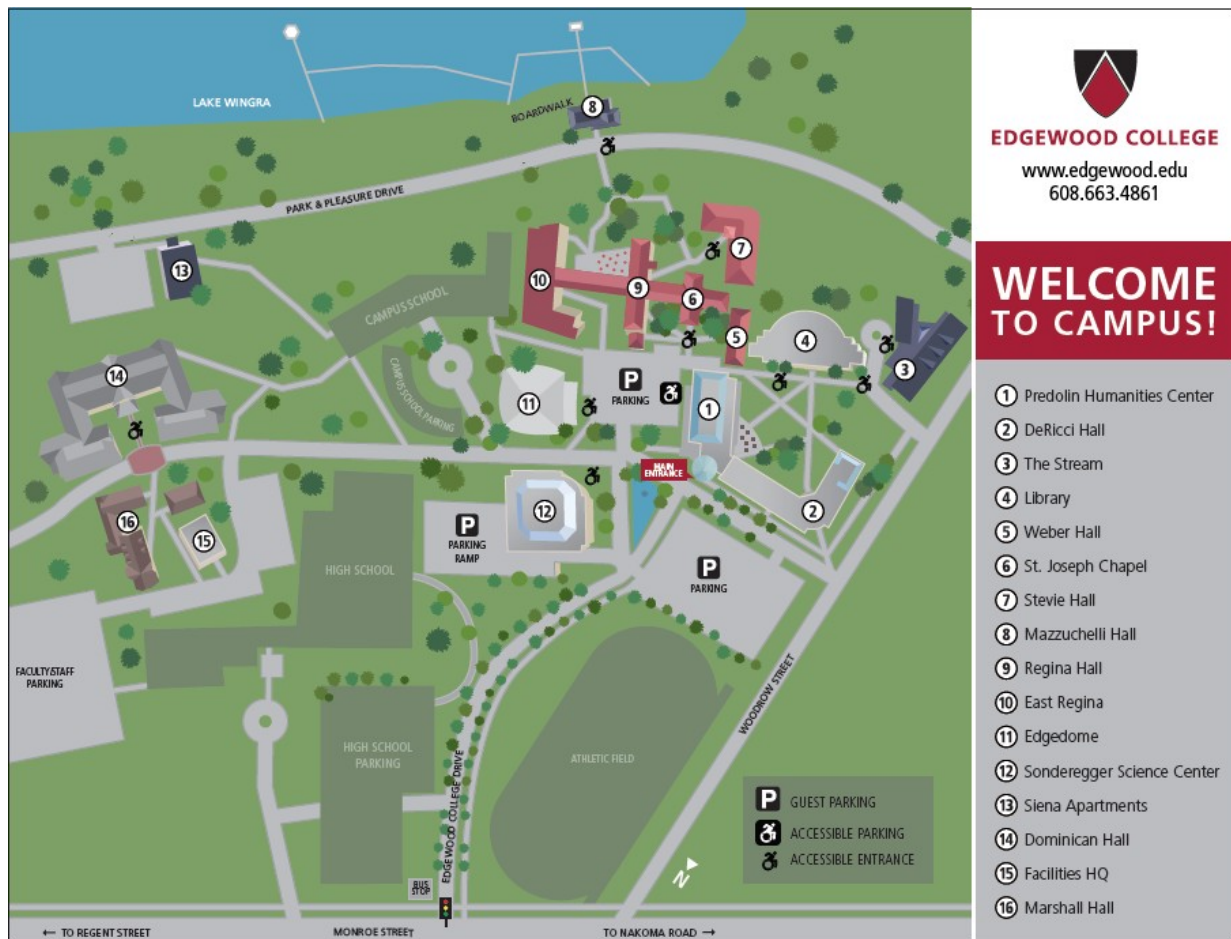
- Extension cords and multi-tap units without a breaker
- Items stored closer than 18 inches from a sprinkler head
- Blocking of electrical panels
- Blocking of egress (exit) pathways
- Evidence of burning of candles, incense, or tobacco products

- Evidence of cooking or cooking appliances, even if unused
- Evidence of a heavy load of combustibles in a room, on the walls, or ceiling
- Covering a door with combustible material
- Use of electrical wiring, devices, appliances that are modified or damaged
- Use of portable heater
- Tampering with smoke detector
- Use of halogen lamp/lighting

### Fire Drill Participation

Fire drills are held once a semester for each residential facility. Fire drills are mandatory, supervised evacuations of a building. The Edgewood Safety Director schedules the fire drill. Students who fail to leave the building are turned over to the campus judicial system.

### Evacuation Meeting Places



## J. TOTAL NUMBER OF FIRES REPORTED IN RESIDENTIAL FACILITIES

	2019	2020	2021
Total Number of Fires	0	0	0
Cause/Type	0	0	0
Number of Injuries	0	0	0
Property Damage \$	0	0	0

List of fires, date, time, cause, injuries (number) deaths (number) value of property damaged, and case numbers.

- 2019 – No fires
- 2020 – No fires
- 2021 – No fires

## K. SOURCES

The statistics for this annual Security and Fire Safety Report were prepared by the Edgewood College Security Department based on information gathered from individuals in the following College offices and local law enforcement authorities: Dean of Students Office, Athletic Department, Student Organizational Directors, Academic Departments, Personal Counseling Services, Health Services, Residence Life, and Human Resources. Information is also gathered from the Madison Police Department, which provides law enforcement services to the College main campus and the one satellite campus. We request and receive Clery-related statistics annually from the police department that are included in our Annual Security and Fire Report.

1000 Edgewood College Drive  
Madison, WI 53711  
800.444.4861 | [www.edgewood.edu](http://www.edgewood.edu)

