



## 2021 ANNUAL SECURITY/FIRE SAFETY REPORT



# Table of Contents

Table of Contents ..... 1

Resources at a Glance ..... 1

    Safety and Security ..... i

    Campus Offices..... i

    Title IX Coordinator ..... i

    Health Resources ..... i

    Sexual Assault, Domestic Violence, Dating Violence and Stalking Resources ..... i

    Mental Health Resources ..... vi

    Substance Use Resources..... vi

Preparation of the Annual Security and Fire Safety Report ..... 2

Reporting Crimes and Other Emergencies ..... 3

    Reporting Crimes ..... 3

    Voluntary, Confidential Reporting ..... 4

    Hate/Bias Reporting ..... 4

    UWMPD Role, Authority, and Training ..... 5

    UWMPD Relationship with Local Law Enforcement Agencies ..... 5

    UWMPD Jurisdiction ..... 5

    Professional Counselors..... 6

    Timely Warnings and Emergency Notifications ..... 6

    Missing Student Notification for Students..... 8

    Emergency Response and Evacuation Procedures ..... 8

    Response Training, Exercises and Drills ..... 9

Security and Access to UWM Facilities..... 11

    Academic and Administrative Buildings..... 11

    Special Considerations for University Housing facilities Access ..... 12

    Special Considerations for Athletic Facility Access..... 12

Informing Students and Employees of Campus Security Policies and Crime Prevention..... 12

UWM Policies Governing Alcohol and Other Drugs..... 14

    UWM Alcohol and Drug Programs and Interventions ..... 14

    Evaluation and Treatment Services ..... 16

    UWM Alcohol and Drug Policy ..... 16

    Disciplinary Sanctions ..... 17

    State of Wisconsin Uniform Controlled Substances Act..... 17

    Federal Criminal Sanctions..... 17

    Miscellaneous ..... 18

Sexual Assault, Domestic Violence, Dating Violence, and Stalking..... 18

Definitions .....	18
Educational Programs and Campaigns .....	21
Bystander Intervention Programs and Risk Reduction.....	24
Procedures for Reporting Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.....	25
Victim/Survivor’s Rights.....	29
Restraining Orders and No Contact Orders .....	31
UWM and Restraining Orders .....	32
Information About Sex Offenders .....	33
UWM Protective Measures and Resource Notification.....	33
Confidentiality .....	34
UWM Disciplinary Action for Sexual Assault, Domestic Violence, Dating Violence, & Stalking.....	34
Employee Disciplinary Procedures .....	47
Faculty Dismissal for Non-Title IX Sexual Misconduct .....	50
Probationary or Fixed-Term Academic Staff Dismissal for Non-Title IX Sexual Misconduct.....	53
Fire Safety Report .....	54
Fire Statistics for On-Campus Student Housing Facilities .....	54
UWM Fire Safety Policy .....	56
UWM Residence Halls .....	56
Crime Statistics for 2017, 2018, and 2019 .....	60
Main “Kenwood” Campus: Criminal Offenses .....	60
Main “Kenwood” Campus: Violence Against Women Act Offenses .....	61
Main “Kenwood” Campus: Arrests and Referrals for Disciplinary Action .....	61
Hate Crimes .....	61
Unfounded Crimes.....	61
School of Freshwater Science Campus: Criminal Offenses .....	62
School of Freshwater Science Campus: Violence Against Women Act Offenses .....	63
School of Freshwater Science Arrests and Referrals for Disciplinary Action.....	63
Zilber School of Public Health Campus: Criminal Offenses.....	63
Zilber School of Public Health Campus: Violence Against Women Act Offenses.....	64
Zilber School of Public Health Campus: Arrests and Referrals for Disciplinary Action .....	64
Washington County Campus: Criminal Offenses.....	64
Washington County Campus: Violence Against Women Act Offenses.....	65
Washington County Campus: Arrests and Referrals for Disciplinary Action.....	65
Waukesha Campus: Criminal Offenses .....	65
Waukesha Campus: Violence Against Women Act Offenses .....	66
Waukesha Campus: Arrests and Referrals for Disciplinary Action .....	66

## Resources at a Glance

### Safety and Security

#### **UW-Milwaukee Police Department**

Emergency: 9911 from a Kenwood (Milwaukee) Campus phone; 414-229-9911 from all others  
Non-Emergency: 414-229-4627  
3410 N. Maryland Avenue, Milwaukee, WI 53211

#### **City of Milwaukee Police Department**

Emergency: 911  
Non-Emergency: 414-933-4444

#### **West Bend Police Department (Washington County Campus)**

Emergency: 911  
Non-Emergency: 262-335-5000

#### **Waukesha Police Department (Waukesha Campus)**

Emergency: 911  
Non-Emergency: 262-524-3831

### Campus Offices

#### **Dean of Students Office**

414-229-4632  
Student Union 345  
dos@uwm.edu

#### **Office of Human Resources**

414-229-4463  
Engelmann Hall 125  
hr-contact@uwm.edu

#### **Employee Assistance Program**

<https://uwm.edu/hr/eap/>

#### **University Housing**

414-229-4065  
Sandburg Residence Hall  
university-housing@uwm.edu

#### **Office of Equity/Diversity Services**

414-229-5923  
Mitchell Hall 359  
diverse@uwm.edu

### Title IX Coordinator

Kimberly Anderson  
414-229-7012  
Chapman Hall 335  
titleix@uwm.edu

### Health Resources

#### **Norris Health Center Medical Services**

414-229-4716  
Norris Health Center Building, 3351 N. Downer Ave.,  
Milwaukee, WI 53211

### Sexual Assault, Domestic Violence, Dating Violence and Stalking Resources

#### **UWM Office of Survivor Support and Victim Advocacy Services**

Northwest Quadrant, Building B, 5<sup>th</sup> Floor  
414-229-4582  
victimadvocacy@uwm.edu

#### **Aurora Healing and Advocacy Services**

414-219-5555  
text 414-219-1551  
130 W Bruce Street, 4th floor, Milwaukee, WI 53204

#### **Sojourner Family Peace Center**

414-933-2722  
619 W. Walnut Street, Milwaukee, WI 53212

#### **The Women's Center**

262-542-3828  
505 North East Avenue, Waukesha, WI 53186

**FRIENDS, Inc.**

262-334-7298

West Bend, WI 53095

**National Domestic Violence Hotline**

800-799-7233

TTY: 800-787-3224

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

National Sexual Assault Hotline: (800)656-4673

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

## Mental Health Resources

### **University Counseling Services (Milwaukee Campus)**

414-229-4133

Northwest Quadrant, Building B, 5th Floor

Hours: 8:00 a.m. – 4:45 p.m., Mon. – Thurs.; 9:00 a.m. – 4:45 p.m. Friday

[uwm.edu/norris/university-counseling-services](http://uwm.edu/norris/university-counseling-services)

### **Milwaukee County Crisis Line**

414-257-7222 (24/7)

### **Washington County Campus Counseling Center**

262-521-5480

Solution Center, Room 123

wsh-counseling@uwm.edu

[uwm.edu/washington/campus-life/campus-counseling-center/](http://uwm.edu/washington/campus-life/campus-counseling-center/)

### **Waukesha Campus Counseling Center**

262-521-5480

Student Development, Room A115

wak-counseling@uwm.edu

[uwm.edu/waukesha/campus-life/campus-counseling-center/](http://uwm.edu/waukesha/campus-life/campus-counseling-center/)

### **Employee Assistance Program**

[uwm.edu/hr/eap/](http://uwm.edu/hr/eap/)

### **National Suicide Prevention Hotline:**

800-273-8255

### **Veteran's Crisis Line**

800-273-8255 (Press 1)

text: 838255 for immediate help

U.S. Department of Veterans Affairs

[www.veteranscrisisline.net](http://www.veteranscrisisline.net)

## Substance Use Resources

### **Health Promotion & Wellness**

414-251-7535

Northwest Quadrant, Building B, 5th floor

Aodresources@uwm.edu

[uwm.edu/norris/health-services/alcohol-and-other-drugs/](http://uwm.edu/norris/health-services/alcohol-and-other-drugs/)

### **Substance Abuse and Mental Health Services Administration**

National Helpline: 800-662-4357

[www.samhsa.gov](http://www.samhsa.gov)

See the *Mental Health Resources* section for additional substance use resources.



## Division of Student Affairs

*Dean of Students*

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Dear UWM community,

UWM supports a community that is caring, compassionate, collegial, and grounded in mutual respect and safety. We have prepared this Annual Security and Fire Safety Report to provide you with information on campus and community safety.

We accomplish our safety plan by engaging in ongoing education and prevention programming, monitoring trends, applying swift response to safety concerns, and collaborating between campus partners, the University of Wisconsin-Milwaukee Police Department and other local, state, and federal law enforcement agencies.

Each member of our community must take responsibility and work together to create a safe campus environment. Thank you for reading this report to gain a more complete understanding of our efforts towards response, prevention, and education. I look forward to continuing to work with you as we continue to keep our campuses a great place to live, learn, and work.

There is nothing more important to us than creating a safe and healthy campus where people feel welcomed.

Sincerely,

Adam Jussel  
Dean of Students

## Preparation of the Annual Security and Fire Safety Report

The annual publication of the Annual Security Report and the Annual Fire Safety Report (ASR/ASFR) fulfills the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.<sup>1</sup> This Act, commonly called the Clery Act, requires the annual distribution of an Annual Security Report and Annual Fire Safety Report to all current faculty, staff, and students, and notice of its availability to prospective students, faculty, and staff. The report is intended to provide the campus community with a snapshot of the efforts to address crime on campus through the inclusion of current policies and procedures and campus crime rates from the past three years.

This report provides UWM's policies related to sexual assault, domestic violence, dating violence, and stalking, campus disciplinary policies and relevant state laws, and campus safety and security information. It also includes crime, arrest, and referral statistics for crimes that occurred on campus, in certain off-campus buildings or

property owned or controlled by UWM, and on the public property within, or immediately adjacent to and accessible from, the campus in the past three (3) years. The Fire Safety Report contains current UWM fire safety protocols and fire statistics for the previous three calendar years.

This report is prepared by the Dean of Students. Each year, the Dean of Students (in consultation with other campus units and administrators, such as the UWM Police Department, University Housing, the Campus Health Officer, the Title IX Coordinator, the Office of Equity/Diversity Services, the Office of Legal Affairs, University Safety and Assurances, and administrators on the Waukesha and Washington County campuses) compiles statistics on specific reported crimes for the preceding three (3) years, including specific crimes reported to:

- The UWM Police Department (including, but not limited to, UWM Police Department staff)
- The Dean of Students and Dean of Students staff, and the Chief Student Affairs Officer
- Other officials of the institution who have significant responsibility for student and campus activities (including the Title IX Coordinator and Director of the Office of Equity/Diversity)



<sup>1</sup> 20 U.S.C. § 1092(f); 34 C.F.R. 668.46.



Services)

- The Campus Health Officer
- All members of the Athletics Department who actively work with students
- Director of University Housing, and employees within University Housing who actively work with students
- Student organization advisors
- Local law enforcement.<sup>2</sup>

Norris Health Center, University Counseling Services, Waukesha and Washington County campus counseling staff, and the Office of Survivor Support and Victim Advocacy staff may report, on an anonymous basis, crimes disclosed to them in the course of their confidential treatment of clients. A procedure is in place to capture such confidential disclosures so that they are included in the crime statistics in this report, but no confidential information is provided.

Each year, UWM sends an email notification to all currently enrolled students and current employees that provides the website link to access this report. The report is available at [uwm.edu/health-safety/](http://uwm.edu/health-safety/) and [dos.uwm.edu](mailto:dos.uwm.edu). In addition, anyone may request a physical copy of this report from the Dean of Students Office, Student Union 345, 414-229-4632, [dos@uwm.edu](mailto:dos@uwm.edu).

## Reporting Crimes and Other Emergencies

### Reporting Crimes

UWM has a number of ways for campus community members to report crimes, serious incidents, and other emergencies to law enforcement and to appropriate UWM officials. Regardless of how and where you decide to report, prompt reporting allows UWM personnel to investigate and determine if additional follow-up is necessary, including a timely warning or emergency notification.

If a complainant wishes to and is able report a crime, or if there is an imminent safety threat, UWM encourages that individual to report all known details regarding the crime to the UWMPD or one of the above-listed offices or individuals. For purposes of this document, the term

“complainant” includes any individual who may identify as a crime victim/survivor, or who reports having been subjected to discrimination/harassment/violence on the basis of their sex.

If a complainant is unable to report a crime, it is the University’s expectation that anyone aware of a crime should report all known details regarding the crime to UWMPD, appropriate law enforcement agency or one of the offices listed below:

- **University of Wisconsin Police Department (UWMPD or UWM Police Department):** 9911 from a Kenwood (Milwaukee) campus phone, 414-229-9911 from all other phones, or by picking up any one of the blue light phones; [uwm-police@uwm.edu](mailto:uwm-police@uwm.edu)
- **Dean of Students Office:** 414-229-4632, Student Union 345; [dos@uwm.edu](mailto:dos@uwm.edu)
- **University Housing Office:** 414-229-5712, Sandburg Hall C120; [housing@uwm.edu](mailto:housing@uwm.edu)
- **Chief Student Affairs Officer:** 414-229-4038, Chapman Hall 132
- **Title IX Coordinator:** 414-229-7012, Chapman Hall 335, [titleIX@uwm.edu](mailto:titleIX@uwm.edu)
- **Office of Equity/Diversity Services:** 414-229-5923, Mitchell Hall 359; [diverse@uwm.edu](mailto:diverse@uwm.edu)
- **Campus Health Officer:** 414-229-5684, Northwest Quad Building B, 5th floor

For off-campus incidents in Milwaukee, the Milwaukee Police Department can be contacted by calling 911 for emergencies, and 414-933-4444 for non-emergencies.

For the incidents that occur on or near the UWM campuses at Waukesha and Washington County, individuals should report to the following police departments:

- **Waukesha Police Department** (for the Waukesha campus): 911 (Emergency). 262-524-3831 (Non-Emergency).
- **West Bend Police Department** (for the Washington County campus): 911 (Emergency). 262-335-5000 (Non-Emergency).

Crimes occurring at the **Kenwood, School of Public Health, Freshwater Sciences, Waukesha, and Washington County campuses** can be reported to UWMPD for inclusion in this report.

<sup>2</sup> On an annual basis, UWM requests crime statistics from local law enforcement agencies including the City of Milwaukee, City of Glendale, City of Wauwatosa, Village of Shorewood, Ozaukee

County Sheriff, Waukesha Police Department, Waukesha County Sheriff, Washington County Sheriff, Milwaukee County Sheriff, and the West Bend Police Department.

UWM maintains an online reporting form at [uwm.edu/deanofstudents/report-it/](http://uwm.edu/deanofstudents/report-it/) to collect statistical information for this report. If the crime did not occur on Clery geography,<sup>3</sup> or it cannot be determined from the report whether the act occurred on Clery geography, it will not be included in the ASR.<sup>4</sup>

### Voluntary, Confidential Reporting

If someone is the victim of a crime but does not wish to pursue action within the UWM and/or criminal justice system, the UWMPD accepts voluntary, anonymous crime reports. Additionally, the Title IX Coordinator, the Dean of Students Office, and Office of Equity/Diversity Services can anonymously collect reports of sexual violence, and other types of incidents.

Anonymous reports made to UWMPD are entered into the Automated Records Management System and tracked as anonymous. Crimes reported to UWMPD, Title IX Coordinator, the Dean of Students Office (DOS), and/or Office of Equity/Diversity Services on an anonymous basis may be included in the crime statistics in this report.



If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue action within the University or criminal justice system, we ask that you consider filing a voluntary, anonymous report. Filing an anonymous report may allow the institution to pursue leads and investigations and maintain campus safety while still keeping your personally identifying information anonymous. Reports filed in this manner are

counted and disclosed in the Annual Security and Annual Fire Safety Report. In limited circumstances, the University may not be able to ensure anonymity and will inform you in those cases.

Confidential reporting options are available at the Norris Health Center, University Counseling Services, with branch campus counseling staff, and the Office of Survivor Support and Victim Advocacy. Confidential reporting allows a victim/survivor to inform a person who has an obligation to keep the report confidential, and that report will not be shared with others. These offices may share, on an anonymous basis, reports of sexual violence for statistical purposes to the Title IX Office and/or Dean of Students Office.

### Hate/Bias Reporting

UWM defines a hate or bias-motivated incident as any disruptive conduct (oral, written, graphic, or physical) that is against an individual, or individuals, because of their actual or perceived race, color, national origin/ancestry, religion, sex, age, disability, sexual orientation, gender identity/expression, veteran and National Guard status, marital status, pregnancy, political affiliation, or arrest/conviction record. (The definition of “hate crime” for the purpose of crime statistics reporting is different. See that definition in the Crime Statistics section of this report.)

Members of the UWM community are encouraged to report hate/bias incidents to the Office of Equity/Diversity Services (EDS) using the Hate/Bias Incident Reporting Form found at: [uwm.edu/equity-diversity-services/hatebias-2/](http://uwm.edu/equity-diversity-services/hatebias-2/). EDS or DOS will investigate reports that contain sufficient information to enable an investigation.

If the hate/bias incident involves any crime or emergency, individuals are urged to notify UWMPD (at x9911 from a campus phone, 414-229-9911, or by picking up any one of the blue-lit S.A.F.E. emergency phones located on the Kenwood campus). If the hate/bias incident involves any crime or emergency and occurs on or near the UWM campuses at Waukesha and Washington County, individuals should report to the following police departments:

- Waukesha Police Department (for the Waukesha campus): 911 (Emergency). 262-524-3831 (Non-Emergency).
- West Bend Police Department (for the Washington

<sup>3</sup> Clery Act, Department of Education, available at [www2.ed.gov/admins/lead/safety/campus.html](http://www2.ed.gov/admins/lead/safety/campus.html)

<sup>4</sup> This is in compliance with Federal guidelines.

County campus): 911 (Emergency). 262-335-5000 (Non-Emergency).

### UWMPD Role, Authority, and Training

UWMPD protects and serves the UWM community with sworn and commissioned law enforcement personnel, on-call 24 hours a day, seven (7) days a week, 365 days a year. UWMPD officers are certified law enforcement officers meeting or exceeding standards set by the Wisconsin Law Enforcement Standards Board.

UWMPD is also staffed by security officers, law enforcement dispatchers, and other support staff. The Department provides police service, facility security, emergency planning and safety programming to campus.

UWMPD officers have complete police authority to apprehend, arrest, and/or cite anyone involved in committing violations of Wisconsin Administrative Code UWS Chapter 18 (Conduct on University Lands) and acts that are unlawful under State statutes on campus and at other areas under the control of the University of Wisconsin System Board of Regents.

UWMPD officers complete ongoing, rigorous training, and have advanced training in active shooter response, first aid, and CPR and Automated External Defibrillators (AEDs). AEDs are kept in each police vehicle and in most buildings on campus, including the residence halls. These officers have the training and experience to provide the immediate life-sustaining medical assistance needed in the first critical minutes of any medical emergency.

### UWMPD Relationship with Local Law Enforcement Agencies

UWMPD maintains close working relationships with the Milwaukee, Shorewood, West Bend, and Waukesha Police Departments, whose jurisdiction borders the campuses. These working relationships allow for the sharing of information and collaboration on neighborhood patrols, training, and investigations as needed. These departments routinely work and communicate with UWMPD officers on serious incidents occurring in the immediate neighborhood and business areas surrounding campus.

UWMPD are participating members of the Suburban Mutual Assistance Response Teams (S.M.A.R.T.). Numerous suburban police departments provide aid and support, by written agreement, to fellow member departments in the event that an incident requires greater resources than are available from any single department.

UWM also contracts with the Milwaukee Police Department to provide additional police services in the neighborhoods surrounding UWM. University Police may assist the City of Milwaukee Police with these patrols in the UWM area. Apart from S.M.A.R.T. and these contracts with the City of Milwaukee Police Department, the University does not have written memoranda of understanding or other written agreements for the investigation of alleged criminal offenses.

Criminal offense reports, incident reports, and citations under Wis. Admin. Code UWS Chapter 18 are used to document incidents reported to or observed by UWMPD. Violators of criminal law may be referred to the District Attorney's office for prosecution. Uniform traffic citations are issued to traffic violators.

### UWMPD and Other Law Enforcement Jurisdiction

All federal law enforcement agencies are empowered to investigate violations of federal law and take appropriate enforcement action. All state law enforcement agencies are empowered to investigate violations of state statutes, the state administrative code and selected federal laws and take appropriate enforcement action. The Milwaukee County Sheriff's Office and the Milwaukee Police Department possess concurrent authority to investigate violations of state statutes and selected federal laws on UWM property, but neither is empowered to enforce county or municipal ordinances on state property. The UWMPD investigates crimes occurring within its jurisdiction, and local law enforcement agencies investigate crimes occurring in their jurisdictions, although law enforcement agencies will cooperate in any investigation as necessary and permissible.

UWM does not operate or recognize any student organization's off-campus facilities, including housing facilities. However, many students live in the neighborhoods surrounding UWM. While the Milwaukee Police Department has primary jurisdiction in all areas immediately surrounding UWM, UWMPD can and does respond to student-related incidents that occur in close proximity to campus. UWMPD officers have direct communications with the local police, fire department, and ambulance services to facilitate rapid response in any emergency situation.



When a UWM student is involved in an off-campus offense, UWMPD may take police action off-campus and within Milwaukee County under the authority of Wis. Stat. § 175.40(5)(d) and UWMPD's policy on jurisdiction. UWMPD officers have authority to arrest and take into custody any person for whom a federal, state or municipal arrest warrant has been issued. UWMPD officers may also take action when assisting other law enforcement agencies within Milwaukee County.

### Professional Counselors

Professional mental health counselors who are appropriately credentialed and hired by UWM to serve in a counseling role are not considered Campus Security Authorities (CSAs). Reports regarding Clery crimes made to these individuals are not required to be reported for inclusion in the ASR or for a timely warning evaluation.

University Counseling provides counseling for UWM undergraduate and graduate students who pay segregated fees. While counselors are exempt from the crime reporting requirements of the Clery Act, counselors often encourage students they are counseling to report crimes to the UWMPD as well as seek additional support through the campus advocate. Counselors also explain to students that the counselors may report crimes to the DOS Office on an anonymous basis for inclusion in the annual disclosure of crime statistics.

The UWM does not employ pastoral (religious) counselors.

### Timely Warnings and Emergency Notifications

**What is a timely warning?** UWM sends timely notice ("timely warnings") via the UWMPD to the campus community of Clery Act crimes on Clery geography that is reported to CSA or local police agency and is considered to pose a serious or ongoing threat to students and employees. These warnings may be issued for the following crimes: arson; aggravated assault; criminal homicide; domestic violence; dating violence; robbery; burglary; motor vehicle theft, sexual assault; hate crimes; and stalking. UWM may also issue a timely warning for liquor, drug and weapon arrests or referrals that may cause a continuing threat to the community.

**When are timely warnings issued?** If an incident occurs that, in the judgment of the UWM Police Chief or designee, may constitute a serious or continuing threat to students or employees, the UWM Police Chief or

designee will issue a timely warning once the UWM Police Chief or designee reasonably concludes that a timely warning is required under the Clery Act. Timely warnings are issued as soon as the pertinent information is available to the UWM Police Chief or designee. Some information may be withheld if there is a risk of compromising law enforcement efforts to investigate and/or solve the crime.

The following factors will be considered when determining whether to issue a timely warning:

- Where the crime occurred (i.e., within Clery geography)
- The nature of the crime (serious/non-serious, violent/non-violent)
- The nature of the threat (general threat versus limited threat to a specific person)
- Whether or not there is a continuing danger to the community or continuing crime pattern

A timely warning notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

- The date and time or timeframe 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(s)/photo(s) when deemed appropriate and if there is sufficient detail
- Police agency contact information
- Safety tips
- Other information as deemed appropriate





The UWM Police Chief or designee also may issue an emergency notification to the campus community regarding a safety threat that does not require a timely warning under the Clery Act.

***How are timely warnings sent?*** Timely warnings are distributed via UWM's mass notification system, which is known as SAFE Alert. SAFE Alert generates text messages and email to persons enrolled in the SAFE Alert system. Timely warnings are also posted for 90 days on the UWMPD website at: [uwm.edu/police/category/campus-safety-alert/](http://uwm.edu/police/category/campus-safety-alert/).

The SAFE Alert system allows UWMPD to contact faculty, staff, and students via text message to personal mobile phones and/or a designated email address. Students, faculty and staff are automatically registered for SAFE Alert e-mails via their UWM email. Registration of personal mobile phones in SAFE Alert is voluntary for faculty and staff and is used for emergency contact purposes only. Students' personal mobile phone numbers and email addresses are automatically enrolled in the system if their registered contact information

includes a mobile phone number. Individuals may opt out of text messaging. SAFE Alert is not used to distribute advertising or other unsolicited messages, and subscribers to SAFE Alert pay no fees for the service, other than normal fees charged by their mobile service provider for receiving text messages. SAFE Alert is only available to members of the UWM campus community.

Information about emergencies may also be shared through the UWMPD's social media accounts along with UWM's social media accounts. The detailed information is then posted on the UWMPD website.

***How can I report incidents?*** Anyone with information about an incident that may warrant a timely warning or emergency notification should contact the UWMPD by calling 9-911 from a Kenwood (Milwaukee) campus phone, 414-229-9911 from all other phones, or going to the UWMPD located at 3410 N. Maryland Avenue.

***What about off-campus incidents?*** For safety threats outside the Clery geography, the UWM Police Chief or designee may consult with the Vice Chancellor for Finance and Administrative Affairs, Vice Chancellor for University Relations, the Chief Student Affairs Officer, and/or the Office of Legal Affairs Director or their designees to determine whether issuing a SAFE Alert is advisable unless the UWM Police Chief, or designee, determines that there is a sufficiently serious or imminent risk such that consultation is not possible in which case the UWM Police Chief or designee may send a timely warning without such consultation.

***What is an emergency notification?*** UWM is committed to immediately notifying the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on or near campus. The UWM Police Chief or designee is responsible for issuing emergency notifications.

***When are emergency notifications issued?*** In the event of a significant emergency that poses an immediate threat to campus, first responders will verify the emergency and notify UWMPD supervisors. In a significant emergency, UWMPD will send a campus-wide message. The message will describe the nature of the event and provide instructions to the campus community to avoid danger and remain safe. This could include avoiding campus or portions of it, leaving campus, or remaining in one's present location (sheltering in place).

UWMPD will take into account the safety of the community as well as the impact of notification on efforts to assist victim/survivor or to contain, respond to, or otherwise mitigate the emergency.

***How are emergency notifications sent?*** An emergency notification most often takes the form of a SAFE Alert email and text message to the campuses or portions of the campuses but may also include any other media designed to get information out quickly campus-wide, such as by posting physical signs at appropriate locations and/or distributing information through social media sites.

Updates regarding the situation may be sent via SAFE Alerts. University Relations and Communications will also provide follow-up information via campus-wide email accounts and/or posts on the campus website and/or social media as information becomes available.

***How do I enroll in SAFE alerts?*** Individuals can enroll in the SAFE Alert system on the UWMPD website at [uwm.edu/police/services/safety-alerts/](http://uwm.edu/police/services/safety-alerts/)

***What happens when there is an emergency?*** Some emergencies could require more than one type of response (e.g., an explosion could result in a fire, which in turn could result in a release of a hazardous chemical) or may escalate from a low-level response to a higher one. The emergency response team has the responsibility of determining the type and level of response, and the Chancellor, or designee, is responsible for the overall response. University Relations and Communications is responsible for conveying this information to the campus community.

*More information about UWM's response to emergencies located below.*

### **Missing Student Notification for Students**

In the event a student living in University Housing is reported missing, UWM officials will notify UWMPD immediately and local law enforcement within 24 hours of the report that the student is missing. Students living in University Housing may register a confidential contact person to be notified within 24 hours in the event the student is determined to be missing. This is in addition to the option to designate a general emergency contact person and should be registered separately. Confidential contact information is maintained in a confidential file accessible only to authorized campus officials. It may not be disclosed except to law enforcement personnel in furtherance of a missing

person investigation. Each student has the option to designate a confidential contact person at any time in the University Housing Office, Sandburg C100 or by e-mailing housing at [housing@uwm.edu](mailto:housing@uwm.edu).

For students not living in campus housing, UWMPD will work with the police department with jurisdiction over the investigation.

If a student is reported to have been missing for more than 24 hours, UWMPD should be notified. Once notified, UWMPD will:

- Open an investigation
- Conduct a risk assessment to determine if there is information to suggest the missing student is in danger or the victim of a criminal act
- Assign investigative resources to locate the missing student
- Collaborate and share information with outside agencies that can aid in the investigation

UWM officials will notify UWMPD if the missing person is under 18 and not emancipated. If the missing student is under 18 and not emancipated, UWMPD will notify local law enforcement, custodial parent(s) or guardian, and any additional contact person designated by the student, without delay once the determination is made that the student is missing. If a student is over 18 or emancipated, UWMPD will notify the emergency contact, if any, and local law enforcement without delay once the determination is made that the student is missing. If the local law enforcement was the entity that originally made the determination that the student was missing, there is no need for UWMPD to notify local law enforcement.

While UWMPD responds, the University Housing Office will take the following steps:

- University Housing staff will ensure UWMPD has the information they require
- University Housing staff will direct staff to gather any available information about the student
- University Housing staff will determine the last time and location the student accessed the residence hall and/or dining services, if applicable.

### **Emergency Response and Evacuation Procedures**

UWMPD, in collaboration with University Safety and Assurances (US&A), evaluates emergency preparedness needs for campus and maintains the campus Emergency



Operations Plan that can be found at [uwm.edu/police/resources/](http://uwm.edu/police/resources/)

The Emergency Operations Plan is a university-wide plan that establishes procedures and an organizational structure for the University's response to and recovery from emergencies that may threaten the health and safety of the UWM community or inhibit the University's ability to continue its mission-critical operations and activities. The Emergency Operations Plan is designed to maximize human safety and preservation of property, minimize danger, restore normal operations of the university, and assure responsive communication to all appropriate parties.

Each year, UWM tests a part of the Emergency Operations Plan through a tabletop or functional exercise that typically includes activating the Emergency Operations Center (EOC) and/or the Crisis Management Team (CMT) and concludes with a debriefing. The EOC serves as the centralized facility in which team members gather, receive assignments, and assume their emergency response roles, and the team is composed of a broad cross section of campus personnel. The CMT, consisting of the Chancellor and cabinet, provides executive-level oversight during the response and recovery effort. The UWMPD maintains records of these exercises, to include a description, the date/time, and whether the exercise was announced or unannounced.



UWMPD and US&A also convene an Emergency Operations oversight committee consisting of key campus stakeholders including Student Affairs, University Housing, Auxiliary Services, University Police, Facility Services, College of General Studies and others who meet on a regular basis to address campus preparedness. UWM also has working relationships with City and County Emergency Management, Wisconsin Emergency Management, and federal partners to ensure

the University's preparedness for a wide variety of emergencies.

Individual departments also prepare for responding to and recovering from emergencies through Continuity of Operations Planning. Continuity of operations planning is a process that identifies high likelihood and high impact risks to critical functions and develop specific actions steps to ensure readiness, response, recovery and restoration. All continuity of operations plans will be periodically tested, reviewed and updated. UWMPD work with departments in the preparation and maintenance of these plans on an annual basis.

### Response Training, Exercises and Drills

UWM tests emergency response and evacuation procedures twice annually.

UWM conducts a tornado drill for all buildings during Tornado Awareness Week in the spring. The drill is organized by the US&A in collaboration with UWMPD and the University of Wisconsin System Office of Risk Management.

*Tornado and Shelter-in-Place Drills.* Procedures for tornado and other “shelter-in-place” responses are announced to the campus community via campus notices, email messages and website postings. Building chairs and floor captains are offered pre-event training to ensure they can safely direct campus occupants to shelters or other refuge areas. [The SAFE Alert system](#) is also tested during the tornado drill. A text message and email alert are sent to all registered participants announcing the drill.

In 2020, the tornado drill was cancelled due to COVID-19 pandemic. In lieu of the drill, tornado safety guidance was disseminated to building chairs and floor captains for further dissemination to their constituents. The guidance consisted of a link to the US&A Tornado Safety web page that provides information regarding UWM tornado procedures including “all clear” notification, shelter areas, and general tornado information. The guidance also provided a link to a National Safety Council “Tornado Preparedness” web page for additional resources.

*Fire Drills.* In September of each year, campus-wide fire drills are conducted to test building evacuation procedures. In case of a fire, buildings need to be evacuated (opposite of sheltering-in-place) by sending occupants outdoors or to a refuge area. The drills are organized by US&A in collaboration with UWMPD and

the University of Wisconsin System Office of Risk Management.

Procedures for the fire drills are announced in advance to the campus community via campus notices, email messages, and website postings. Building chairs and floor captains are offered pre-event training to ensure they can safely direct campus occupants to emergency exits and ways of egress. Drills are conducted for individual buildings. However, due to the COVID-19 pandemic in 2020, the campus-wide fire drills were cancelled. In lieu of fire drills at each building, guidance was disseminated to building chairs and floor captains for further dissemination to their constituents. The guidance consisted of Emergency Response to Fire Occurrence procedure and Fire Alarm Procedures including evacuation and emergency notification information. Additionally, a Campus Fire Safety Information Sheet from [www.campus-firewatch.com](http://www.campus-firewatch.com) was provided as a resource for fire statistics in higher education.

For individuals with mobility limitations, alternative evacuation procedures are in place. These individuals are encouraged to go to the nearest emergency stairwell.


These stairwells are considered “areas of rescue assistance.” Emergency personnel will arrive at the stairwells and evacuate individuals as needed.

Prior to an emergency, each person with mobility limitations is recommended to ask a friend, colleague, and/or fellow student to provide assistance if an emergency develops to serve as an “evacuation assistant”. The evacuation assistant should be informed about what limitations an individual has and how the evacuation assistant can be of help. The evacuation assistant will go to the building evacuation assembly point and notify the on-site emergency personnel of the location of the person with a disability. Emergency personnel will determine if further evacuation is necessary. Building chairs and floor captains also check areas of rescue assistance before reporting that a building has been fully evacuated.

#### *On-Campus Safety Services*

Other UWM Safety Services include:

- **Prowl Line.** Student Union WG25; [uwm.edu/transportation/prowlline/](http://uwm.edu/transportation/prowlline/).



# SAFETY TIPS

### Be Aware & Alert

Look around

Confidently walk, stand tall, make eye contact

Be aware of surroundings

Don't walk alone at night

If drinking, have someone walk you home or get a ride

### Be Informed

Locate the nearest blue light phone

Know the hours of B.O.S.S.

Know your destination and plan your route

Download the UWM mobile app

### Be Prepared

Keep your doors locked

Don't leave valuables unattended

Lock your vehicle

Never leave items in your car

Take an annual self-defense course

## Program these UWM Police Numbers

**414-229-9911 (emergency) • 414-229-4627 (non-emergency)**



UWM Transportation Services shuttles between the UWM Kenwood Campus, Kenilworth Square Apartments, Cambridge Commons and Riverview Residence Hall for University Housing residents as well as shuttle service from the Capitol and Humboldt UPark lot. On-call services are provided to University Housing residents during break periods.

- **Be on the Safe Side (B.O.S.S.).** Student Union WG25; 414-229-6503; [uwm.edu/boss/](http://uwm.edu/boss/). B.O.S.S. is a free transportation service for students on and near the Kenwood campus, with approximately six (6) square miles of coverage. B.O.S.S. boundaries are Capitol Dr. (North), Brady St. (South), Martin Luther King, Jr. Dr. (West) and Lincoln Memorial Dr./Lake Dr. (East). B.O.S.S. operates seven (7) days a week during the fall and spring academic semesters, from 6 p.m. to 2 a.m. Limited service is available at other times of the year.
- **RAVE Guardian.** The RAVE Guardian app, which can be downloaded for free from Apple or Android stores allows users to interact with the UWM police department through texting, confidential tips, location sharing, a call directory and a safety/resource content portal. More information about the app can be found at [uwm.edu/police/services/rave-guardian/](http://uwm.edu/police/services/rave-guardian/)

## Security and Access to UWM Facilities

General access to and use of the facilities at UWM is governed by Wisconsin Administrative Code UWS Chapter 18<sup>5</sup> and 21<sup>6</sup>, and UWM [Selected Academic and Administrative Policy 6-5](#), Use of Facilities Policies and Procedures.

Each year, US&A assembles a working group of University staff and students that performs a safety assessment by walking throughout campus. This assessment includes lighting, landscaping, crosswalks, and any other environmental factors that could pose a safety concern or hazard. US&A refers any concerns to Facility Services, Union, or University Housing for resolution, and US&A is responsible to follow up and ensure that any items of concern are fixed. Safety assessments were performed on November 4, 2020 on

the Milwaukee Campus, on November 5, 2020 at the Washington County Campus, and on November 11, 2020 at the Waukesha Campus.

UWMPD and Facility Services personnel, through their daily routine of opening and locking buildings, ensure the functionality of doors and report any deficiencies to Facility Services. Doors that are not functional will not be propped open and will be secured with traffic directed to the nearest operational door until repaired. UWMPD officers perform multiple checks of the Kenwood campus facilities each day and note any safety issues that need attention. UWMPD performs similar periodic checks at the branch campuses. Any other malfunctions of security equipment should be reported to UWMPD, who will notify the appropriate party for repair. Each semester UWMPD also confirms the campus blue light emergency phones are functional. Any malfunctions are reported to University Network Operations for repairs.

UWM also has specific policies related to the safety of minors on campus and to ensure compliance with Wisconsin Executive Order 54, which requires mandatory reporting of child abuse and neglect by University staff. These include portions of UWM's Use of Facilities Policies and Procedures, Selected Academic and Administrative Policies (SAAP) 6-5; UWM's Criminal Background Check Policy, SAAP 7-4; UWM's Minor Protections and Adult Leadership Policy, SAAP 10-7; and UWM's Child Abuse and Neglect Policy, SAAP 10-2.

Physical security measures and security patrols are augmented by a network of security cameras on campus. Security cameras are located in University Housing facilities, Student Union, campus buildings, and other common areas. UWMPD also works with those responsible for individual buildings on campus to perform security surveys and make recommendations to improve security.

### Academic and Administrative Buildings

UWM academic and administrative buildings, excluding University Housing facilities, are open to faculty, staff, students, and the general public during normal business hours, with the exception of designated areas that may be limited to students, Facility Services personnel, research personnel, and other appropriate individuals. Most facilities have individual hours, and the hours may vary at different times of the year. Access to these buildings is controlled by either key or card access after

<sup>5</sup> UWS 18, available at [https://docs.legis.wisconsin.gov/code/admin\\_code/uws/18/07](https://docs.legis.wisconsin.gov/code/admin_code/uws/18/07).

<sup>6</sup> UWS 21, available at [https://docs.legis.wisconsin.gov/code/admin\\_code/uws/21/01](https://docs.legis.wisconsin.gov/code/admin_code/uws/21/01).

normal business hours, and all of these buildings have varied levels of access. Campus and non-campus buildings are secured each night either by UWMPD or by building personnel in accordance with a schedule of closing times set by the building chair of each building and published by Campus Planning twice per year. Security measures in place at UWM buildings vary from building to building and day to day in order to accommodate the demands of the academic year. Circumstances such as late office hours, special events, semester breaks, legal holidays, spring break, exam periods and terms between semesters can cause building schedules to change frequently.

Every campus building, except for University Housing facilities, has a designated building chair who is responsible for monitoring facilities and equipment, coordinating the placement of security information, determining the placement of bulletin boards, posting all required postings, serving as a liaison to Facility Services, and collaborating with UWMPD to address any safety or security concerns. For information about the access protocol for a specific building, contact the building chair ([uwm.edu/facility-services/building-chair-information/](http://uwm.edu/facility-services/building-chair-information/)).

### Special Considerations for University Housing facilities access

University Housing facilities are secured 24 hours a day, with the exception of first-floor common areas that are open to the public during business hours. No access is provided beyond the common areas without security clearance. Residents and guests must show identification

## **Informing Students and Employees of Campus Security Policies and Crime Prevention**

to 24-hour security staff to go beyond common areas into residential areas. Purin Hall does not have any security staff; however, residence life security staff performs regular security checks in Purin Hall.

In the case of emergencies, the building chair for each building and/or UWMPD may change access policies and procedures. The extent of such changes will depend upon the type of emergency involved, whether outside law enforcement or emergency service providers are present, and the extent of the emergency. In the case of an emergency in University Housing facilities, evacuation of the building is normally involved for any issue that is not localized. University Housing staff

escort first responders to the area of the emergency situation. In the case of a fire alarm or any other major facility evacuation, University Housing staff has the ability to waive normal security clearance procedures until all residents evacuated from the building have reentered. At that point, normal entry procedures are reinstated.

### Special Considerations for Athletic Facility Access

The Klotsche Center, Pavilion, and Engelmann Gym access is managed according to the University Recreation (UREC) Physical Access Policy and Facility Services Policies. The UREC Physical Access Policy is available by request from UREC. The Klotsche Center, Pavilion, and Engelmann Gym hours of operation are available on the UREC website at [uwm.edu/urec/](http://uwm.edu/urec/). Access hours may change with special events, holidays, or weekends.

The Klotsche Center and Pavilion are unlocked during regular business hours for access to the building atrium, and Engelmann Gym is unlocked when staffed. Students, faculty, staff, visitors, and contractors can access athletic, recreational, operational, and office areas by being authorized by the University, their department, with UREC Membership or with Building Chair arrangement. Access to these areas when authorized will require credentials as follows: photo identification, proximity card, biometric scanners or physical keys. Access to the athletic, recreational, and operational areas are monitored with a combination of a security system, a membership management software and security cameras located at entrances to the facility. After-hours use is controlled by proximity card readers, biometric scanners and physical keys.

Security cameras are located in the facilities and monitored by UWMPD.

UWM uses several methods to inform students and employees of campus security procedures and practices. Every fall, all students and employees are provided with a copy of the institution's ASFR via e-mail, and prospective students may access the report through the Admissions Office website. Prospective employees are provided notice of the availability of the ASFR through each available position posting.

UWM also sponsors multiple programs and training opportunities that allow students and employees to learn more about, engage in, and respond to campus safety practices and procedures. These programs and trainings

include, but are not limited to, the following:

- *Orientation.* The DOS Office, Norris Health Center, University Counseling, Title IX Office, and UWMPD present important information regarding personal safety, security, and crime prevention to each student at New Student Orientation and Transfer and Adult Student Orientation. Students are also provided additional safety information in the Student Handbook ([uwm.edu/studenthandbook](http://uwm.edu/studenthandbook)). For the UWM at Waukesha and Washington County campuses, the information is presented via an in-person orientation session, online video, and the Student Handbook.<sup>7</sup>
- *Campus Safety Week.* Each Fall, UWMPD hosts “Campus Safety Week,”<sup>8</sup> during which information is shared with students and staff about personal safety and crime prevention through a series of events at the Student Union and in University Housing. UWMPD work with campus partners to present a wide array of health and safety resources. The Women’s Resource Center, LGBT Resource Center, Title IX Coordinator, Dean of Students Office, Norris Health Center, University Safety & Assurances, local police, fire departments, and more provide information to attendees.
- *UWMPD Informational Events.* UWMPD participate in informational events on campus including the Employee Wellness & Benefits Fair and Fall Welcome.<sup>9</sup> UWMPD staffs an exhibit table at these events and answers questions about safety and crime prevention. Literature on sexual assault prevention, traffic safety, active shooter response, alcohol awareness, and the SAFE Walker program is distributed. These events are open to students and employees except as designated.
- *Health & Safety E-mails.* The UWM Police Chief, Neighborhood Housing and Relations Manager, Dean of Students, Title IX Coordinator, and Norris Health Center Director send health and safety emails to students throughout the year that include safety tips and crime prevention strategies.
- *Neighborhood Housing Office Programs.* Each semester, the Neighborhood Housing Office (NHO) hosts monthly meetings where local police, UWMPD, and the Dean of Students Office meet with stakeholders to discuss safety, crime prevention, and quality of life issues on and off

campus. There are additional collaborative efforts, which are ongoing throughout the year and are kicked off by “UNITE,” a program which uses volunteers to visit student residences off-campus. The volunteers welcome students to the neighborhood, educate them on being good neighbors, and provide safety information and other useful tips, such as locking and securing their residences, for living in the area.

- *UWMPD Personal Safety Seminars.* Throughout the year, UWMPD respond to requests for personal safety seminars by various student and staff groups on campus and cover a wide array of topics including conflict resolution, drug and alcohol awareness, rape aggression defense, self-defense, active shooter response, online protection, and other topics.
- *Classroom and Campus Safety.* UWMPD and the Dean of Students Office offer training sessions titled “Classroom and Campus Safety” for faculty, instructors and staff. The sessions address classroom disturbances, troubling classroom behavior, and how to react during an emergency.

The UWM website is an important resource for informing employees and students about crime prevention tips and information. The campus Health and Safety website ([uwm.edu/health-safety/](http://uwm.edu/health-safety/)), provides links to health and safety resources, including campus services, and information on alcohol and other drugs, sexual violence, and mental health.

US&A offers training on emergency preparedness, security, and the active shooter training video to new employees via online training at <https://uwm.edu/safety-health/occupational-safety-training/>. US&A also refers staff to the UWM Code of Conduct when questions arise relating to workplace violence.

For students living off campus, the NHO offers advice, referrals, and resources, both on and off-campus. NHO works closely with campus health and safety units, such as University Counseling, the Dean of Students Office, and UWMPD to address a wide range of topics, including security concerns related to rental units, commuting concerns for drivers, bikers, bus riders, and walkers, and health concerns related to behavior off campus. NHO also employs Community Outreach and Assistance for Student Tenant (COAST) Leaders to meet

<sup>7</sup> Orientation programs during the COVID-19 pandemic were presented online for all three (3) campuses.

<sup>8</sup> Campus Safety Week was cancelled in Fall 2020 due to the COVID-19 pandemic.

<sup>9</sup> The Benefits Fair was held virtually in Fall 2020 due to the COVID-19 pandemic.

with students living off campus and address any concerns or questions they may have, including those related to safety and safety resources on and off campus. NHO offers a Preferred Tenant Program, which prepares students who will be living off campus with information about safety resources and alcohol and other drug information and resources.

UWMPD also provides training on active shooter response, self-defense, and CPR/AED classes over the course of year. The active shooter training video is available on the University Police website: [uwm.edu/police/services/departments-services/safety-training/active-shooter-training-information/active-shooter-training-video/](http://uwm.edu/police/services/departments-services/safety-training/active-shooter-training-information/active-shooter-training-video/).

All new UWM students are also required to complete a Title IX/Sexual Violence Prevention online training program called “Sexual Assault Prevention,” before the end of their first semester. “Sexual Assault Prevention” consists of a 1-hour training module and includes videos, interactive exercises, and information regarding consent, alcohol and other drugs, rape, acquaintance rape, domestic violence, dating violence, sexual assault, stalking, healthy and abusive relationships, sexual health, and survivor support. In addition, the training includes legal definitions and penalties for sexual assault, statistics on sexual assaults, victim rights and resources on campus, and strategies to recognize and combat sexual assault and sexual harassment.

For more information regarding the online Sexual Assault Prevention course, please visit <https://uwm.edu/norris/health-services/violence-prevention>.

Also, see the section of this document titled “Sexual Assault, Domestic Violence, Dating Violence, and Stalking” for protective behaviors regarding those offenses.

## **UWM Policies Governing Alcohol and Other Drugs**

Substance use impacts all aspects of University life, including student well-being, academic performance, the educational environment, and the quality of life on campus and in the surrounding communities. In an ongoing effort to mitigate these high-risk behaviors, UWM has instituted a variety of alcohol and other drug prevention and intervention initiatives.

Information about UWM’s compliance with the Drug Free Schools and Communities Act, including the descriptions of drug and alcohol education and intervention programs, and UWM’s Biennial Review, can be found at UWM’s Health and Safety Website, [uwm.edu/health-safety/](http://uwm.edu/health-safety/).

Additional information relating to the health effects of the use alcohol and other drugs can be found in the Drug-Free Campus document: [uwm.edu/studenthandbook/wp-content/uploads/sites/394/2018/12/DrugFreeCampus\\_Students-1.pdf](http://uwm.edu/studenthandbook/wp-content/uploads/sites/394/2018/12/DrugFreeCampus_Students-1.pdf).

## **UWM Alcohol and Drug Programs and Interventions**

The Alcohol and Other Drug Prevention and Intervention Program at UWM provides a comprehensive approach to addressing substance use on campus. UWM aims to provide students with the information and skills necessary to make healthy and responsible decisions to reduce substance use rates and the negative impact of high-risk use. The University maintains a comprehensive breadth of evidence-based and theory-driven programs and services that concurrently impact the individual, interpersonal, and community factors that influence these behaviors.





The includes a variety of programs and interventions on alcohol and other drugs.

- Incoming first-year undergraduate and transfer students under the age of 21 are required to complete Alcohol Wise, an online alcohol and other drug education program designed to help students make informed and responsible decisions about substance use, assist someone who needs help, and identify campus resources. In 2020, a similar course on marijuana was added to the requirement. A self-guided online alcohol assessment and feedback program, E-Check Up, is available at [uwm.edu/norris/health-services/alcohol-screening/](http://uwm.edu/norris/health-services/alcohol-screening/) for all students.
- A variety of professional- and peer-led programs are offered to increase students' awareness of accurate information about alcohol and other drugs, increase skills to reduce risks and enhance their motivation to make choices that demonstrate care for self and others.

- Training programs are held for student leaders to assist them in disseminating information regarding alcohol and other drug effects to their peers.
- The signature Fall Welcome Healthy Choices event features an interactive educational program that focuses on campus health priority areas, including alcohol and other drugs, mental health and sexual violence prevention. The program helps students recognize problematic behaviors and intervene as bystanders.<sup>10</sup>
- Frequent substance-free social and service events are held on and off campus for students and staff.
- Policy and educational information are regularly distributed via campus-wide events such as new student, transfer student, and family orientations, biannual communications from the Chancellor and the Dean of Students, and a variety of other media.
- The campus offers services for students who are concerned about, at risk for, or already experiencing problems related to their use of alcohol or other drugs. Brief Alcohol and other Drug Screening and Intervention for College Students (BASICS) offers UWM students the opportunity to explore their use of alcohol, marijuana or other drugs in a confidential and non-judgmental setting, receive personalized feedback about their use, and to consider strategies to reduce harmful consumption and negative experiences. More information is available at [uwm.edu/basics](http://uwm.edu/basics) or [aodresources@uwm.edu](mailto:aodresources@uwm.edu).
- Norris Health Center provides students with assistance for tobacco cessation. Information on cessation tips, resources and services for students, faculty and staff can be found at [uwm.edu/smokefree](http://uwm.edu/smokefree).
- University Housing also offers Choices About Responsible Drinking (C.A.R.D.), a group-based alcohol awareness workshop.

<sup>10</sup> The Healthy Choices Event was cancelled in Fall 2020 due to the COVID-19 pandemic.



### Evaluation and Treatment Services

Confidential information, assessment, referral, and short-term counseling services are available for students at the branch and main campuses. These services include voluntary AODA assessments for students who have questions or concerns regarding their use of alcohol or other substances. Short-term weekly counseling sessions are offered for students desiring treatment of an identified substance use problem. For students with substance use disorders that require more intensive support and/or treatment, referrals to community resources are provided. Students are encouraged to check with their campus counseling center for the availability of open-ended, weekly group therapy, appropriate for many students with AODA concerns who want a group experience as part of their recovery process.

The UWM Employee Assistance Program (EAP) provides assessment, consultation and referrals to appropriate community resources for professional employees who are experiencing problems related to their use of alcohol or other drugs. Information about the EAP can be found at [uwm.edu/hr/eap/](http://uwm.edu/hr/eap/).

### UWM Alcohol and Drug Policy

The University of Wisconsin System and UWM prohibit the unlawful possession, use, distribution, manufacture, sale, or dispensing of alcohol and illegal drugs by students and employees on university property or as part of university activities. It is illegal to procure for, sell, dispense, or give away alcohol to anyone who has not reached the legal drinking age of 21 years, and is

unaccompanied by a parent, spouse, or guardian who has reached the legal drinking age of 21 years.<sup>11</sup> It is illegal for anyone who has not reached the legal drinking age of 21 years and is unaccompanied by a parent, spouse, or guardian who has reached the legal drinking age of 21 years to procure, possess, or consume alcoholic beverages, subject to exceptions.<sup>12</sup>

UWM and UWMPD enforce all local, state, and federal laws regarding the possession, use, distribution, manufacture, sale, or dispensing of alcoholic beverages and illegal drugs on institution property and at UWM-sponsored activities, including underage drinking. UWM expects all students, employees, and visitors to comply with all local, state, and federal alcohol and drug laws. Members of the UWM community who violate local, state, or federal drug and alcohol laws, or who violate UWM or UW System policies regarding drug and alcohol sale, use, or possession may face criminal and/or disciplinary sanctions.

UWS 18.09(1), Wisconsin Administrative Code, prohibits the use or possession of alcoholic beverages on all university premises except in faculty and staff housing and as specifically permitted by the chief administrative officer or under institutional regulations. Without exception, alcohol consumption is governed by Wisconsin statutory age restrictions. UWM has developed Guidelines for Service Alcoholic Beverages (SAAP 3-1) to permit the use and possession of alcoholic beverages by individuals above the minimum legal drinking age. Students and employees who fail to comply with UWM regulations are subject to disciplinary action.

UWM prohibits the unlawful possession, use, sale/distribution, manufacture or dispensing of illicit drugs and alcohol by students and employees on University property or as part of University activities (SAAP 10-5). UWMPD officers are empowered by state law to enforce drug and alcohol laws on and off campus, and UWMPD strictly enforces these laws:

- The unlawful use, possession, sale/ distribution, manufacture or dispensing of illicit drugs (“controlled substances” as defined in 961.01(4), Wis. Stats.) is prohibited (UWS 18.09(2)).
- UWM’s policies relating to alcohol and drugs are enforced off campus, such as in the neighborhoods near UWM’s campus, when a student’s behavior adversely affects a substantial University interest. In making this determination, an investigating officer considers whether the conduct constitutes

<sup>11</sup> Wis. Stat. § 125.07(1)(a)(1).

<sup>12</sup> Wis. Stat. § 125.07(4)(a).

or would constitute a serious criminal offense, indicates that the student presented or may present a danger or threat to self or others, or demonstrates a pattern of behavior that seriously impairs UWM's ability to fulfill its mission (UWS 17.08(2)).

UWM has a Drug, Alcohol, and Sexual Assault Victim Assistance Policy, which states that UWM will provide some relief from disciplinary action for students who seek assistance for themselves, or others related to alcohol and/or other drug overuse or impairment. In addition, UWM encourages its students to seek help for themselves or others who have been the victim/survivor of sexual violence so that all sexual violence victims/survivors receive medical and/or other assistance without fear of disciplinary consequences for alcohol and/or other drug use. The complete policy is available at [uwm.edu/studenthandbook/wp-content/uploads/sites/394/2018/10/Medical-Safety-Policy-UWM.pdf](http://uwm.edu/studenthandbook/wp-content/uploads/sites/394/2018/10/Medical-Safety-Policy-UWM.pdf).

UWM Smoke & Tobacco-Free Campus Policy (SAAP 10-8) prohibits smoking and the use of tobacco on all campus property. Smoking means the use of any variety of lighted pipe, cigar, cigarette or other smoking equipment, including electronic delivery devices, whether filled with tobacco or any other type of materials. Tobacco means any tobacco product, including those which are smokeless, chewable, spit, spitless, dissolvable, or inhaled. UWM's full policy is available at [uwm.edu/smokefree/policy/](http://uwm.edu/smokefree/policy/).

### Disciplinary Sanctions

Violation of these provisions by a student may lead to the imposition of disciplinary sanctions up to and including suspension or expulsion under Chapter UWS 17, Wis. Admin. Code. Alcohol and drug education programs are utilized as a sanction for alcohol or other drug policy violations committed by UWM students. For drug or alcohol violations, students may also be required to complete an alcohol or drug use disorder assessment(s) with a licensed clinician. Student organizations or groups violating alcohol and drug policy or laws may also be subject to discipline by UWM consistent with the UWM policies relating to student organization misconduct. University employees are also subject to disciplinary sanctions for violation of these provisions occurring on University property or the worksite during work time, up to and including termination from employment.

- Disciplinary sanctions are initiated and imposed in accordance with applicable procedural

requirements and work rules, as set forth in Wisconsin Statutes, administrative rules, and faculty, academic staff, and university staff policies.

- Violations of s. UWS 18.09, Wis. Admin. Code may result in additional penalties as allowed under Ch. UWS 18, Wis. Admin. Code.
- Referral for prosecution under criminal law is possible.
- In addition, violations of ss. UWS 18.06(13) and 18.10(1), Wis. Admin. Code may result in additional penalties as allowed under Ch. UWS 18, Wis. Admin. Code.

Employees who are convicted of any drug statute violation occurring in the workplace must notify their dean, director, or department chair within five (5) calendar days of the conviction if the employees are employed by UWM at the time of the conviction, in accordance with the Federal Drug-Free Workplace Act, 41 U.S.C. s. 701 et seq., and UWM's Drug-Free Campus Policy (SAAP 10-5).

### State of Wisconsin Uniform Controlled Substances Act

The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and 961.41 outlines specific penalties for the violation of the regulations. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term. Sec. 961.46, Stats.

### Federal Criminal Sanctions

The Controlled Substances Act (CSA), 21 U.S.C. s. 801 et seq., is a consolidation of numerous federal laws regulating the manufacture and distribution of controlled substances. The CSA establishes mandatory minimum penalties for the unlawful manufacturing and distribution of controlled substances. Select penalties mandated by the CSA are highlighted below.

- 21 U.S.C. 844(a): 1st drug conviction: Up to 1 year imprisonment and/or fined at least \$1,000; 2nd conviction: At least 15 days in prison, not to exceed 2 years and/or fined at least \$2,500; 3rd conviction: At least 90 days in prison, not to exceed 3 years and/or fined at least \$5,000.
- 21 U.S.C. 853 and 21 U.S.C. 881: Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance, used



to transport a controlled substance, obtained as the result of a violation of federal law, or otherwise used to violate federal law relating to controlled substances.

- 21 U.S.C. 844a: Civil fine of up to \$10,000.
- 21 U.S.C. 862: 1st offense: Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses for up to 1 year for possessors and up to 5 years for traffickers. Subsequent offenses: Ineligibility for Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses for up to 5 years for possessors and permanently for traffickers.
- 18 U.S.C. 922(g): Ineligible to ship, transport, possess, or receive a firearm or ammunition

### Miscellaneous

Drug convictions may result in the revocation of certain federal licenses and benefits, e.g. federal financial aid, pilot licenses, public housing tenancy, etc. The power to revoke such licenses and benefits is vested within the authorities of the applicable government agency.

## Sexual Assault, Domestic Violence, Dating Violence, Sexual Exploitation and Stalking

UWM does not discriminate on the basis of sex in its educational programs or activities. UWM policies prohibit sexual harassment and sexual violence, including sexual assault, dating violence, domestic violence, sexual exploitation, and stalking, which are forms of sex discrimination.

UWM prohibits sexual assault, domestic violence, dating violence, sexual exploitation, and stalking as they are defined for the purposes of the Clery Act and Wisconsin state law. UWM issues this statement of policy to inform the community of our comprehensive plan to address sexual harassment and sexual violence in all its forms whether on or off campus.

### Definitions

For the purposes of the Clery Act and under Wisconsin law, sexual assault, domestic violence, dating violence, stalking, and consent are defined as the following:

### Consent

“Consent” is defined in the state of Wisconsin as “words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact.” The following persons are presumed incapable of consent, but the presumption may be rebutted by competent evidence, subject to the provisions of s. 972.11 (2):

- A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct.<sup>13</sup>
- A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.<sup>14</sup>

### Dating Violence

According to the Clery Act, “dating violence” is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim/survivor. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.<sup>15</sup>

In the state of Wisconsin, a dating relationship is further defined as a romantic or intimate social relationship between two adult individuals, but it does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context. The existence of a dating relationship is determined by considering the length of the relationship, the type of the relationship, and the frequency of the interaction between the adult individuals involved in the relationship.<sup>16</sup>

### Domestic Violence

According to the Clery Act, “domestic violence” is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim/survivor; by a person with whom the victim/survivor shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim/survivor as a spouse or intimate partner; by a

<sup>13</sup> Wis. Stat. § 940.225(4)(b)

<sup>14</sup> Wis. Stat. § 940.225(4)(c)

<sup>15</sup> U.S. Department of Education (2016), Clery Handbook at 3-36, available at <https://www2.ed.gov/admins/lead/safety/handbook.pdf>.

<sup>16</sup> Wis. Stat. § 813.12(1)(ag).



person similarly situated to a spouse of the victim/survivor under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim/survivor who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.<sup>17</sup>

### **Domestic Abuse; Domestic Abuse Restraining Orders and Injunctions ([Wis. Stats. s.813.12\(1\)](#))**

In the state of Wisconsin, "domestic abuse" means any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver's care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s. [940.225](#) (1), (2) or (3). [Sexual Assault]
4. A violation of s. [940.32](#). [Stalking]
5. A violation of s. [943.01](#), involving property that belongs to the individual. [Damage to Property]
6. A threat to engage in the conduct under subd. 1., 2., 3., 4., or 5.<sup>18</sup>

### **Domestic Abuse Incidents; Arrest and Prosecution ([Wis. Stat. s.968.075](#))**

"Domestic abuse" means any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided or against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s.940.225(1)[first degree sexual assault],(2) [second degree sexual assault] or (3) third degree sexual assault].
4. A physical act that may cause the other person to fear imminent in the conduct described in 1, 2 or 3

### **Fondling**

According to the Clery Act, "fondling" is the touching of the private body parts of another person for the purpose

of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.<sup>19</sup>

### **Incest**

According to the Clery Act, "incest" is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.<sup>20</sup>

In the state of Wisconsin, people who are nearer of kin than second cousins may not marry, except that marriage may be contracted between first cousins where the female has attained the age of 55 years or where either party, at the time of the application for a marriage license, submits an affidavit signed by a physician stating that either party is permanently sterile. (Wis. Stat. s. 765.03).

### **Rape**

According to the Clery Act, "rape" is 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.<sup>21</sup>

### **Sexual Assault**

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.<sup>22</sup>

In the state of Wisconsin, sexual assault is differentiated by degree, with the following definitions:

- (1) *First degree sexual assault*. Whoever does any of the following is guilty of a Class B felony:
  - (a) Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
  - (b) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat
  - (c) of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.
  - (d) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with

<sup>17</sup> 34 CFR 668.46(a).

<sup>18</sup> [Wis. Stat. § 813.12\(1\)\(am\)](#).

<sup>19</sup> 34 CFR 668.46(c).

<sup>20</sup> 34 CFR 668.46(c).

<sup>21</sup> U.S. Department of Justice (2013). Summary Reporting System (SRS) User Manual, 31. Available at

<https://ucr.fbi.gov/nibrs/summary-reporting-system-srs-user-manual>.

<sup>22</sup> Violence Against Women Act of 1994, 34 C.F.R. 668.46(a).

another person without consent of that person by use or threat of force or violence.

- (2) *Second degree sexual assault.* Whoever does any of the following is guilty of a Class C felony:
- (a) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
  - (b) Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.
  - (c) Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.
  - (cm) Has sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.
  - (d) Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
  - (f) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without the consent of that person.
  - (g) Is an employee of a facility or program under s. 940.295 (2) (b), (c), (h) or (k) and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility or program.
  - (h) Has sexual contact or sexual intercourse with an individual who is confined in a correctional institution if the actor is a correctional staff member. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.
  - (i) Has sexual contact or sexual intercourse with an individual who is on probation, parole, or extended supervision if the actor is a probation, parole, or extended supervision agent who supervises the individual, either directly or through a subordinate, in his or her capacity as a probation, parole, or extended supervision agent

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

- (j) Is a licensee, employee, or nonclient resident of an entity, as defined in s. 48.685 (1) (b) or 50.065 (1) (c), and has sexual contact or sexual intercourse with a client of the entity.
- (3) *Third degree sexual assault.* Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class G felony. Whoever has sexual contact in the manner described in sub. (5) (b) 2. or 3. with a person without the consent of that person is guilty of a Class G felony.
- (3m) *Fourth degree sexual assault.* Except as provided in sub. (3), whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.<sup>23</sup>

### **Sexual Assault of a Child**

Any person who has sexual contact or sexual intercourse with a child who has not attained the age of 13 years and causes great bodily harm is guilty of a Class A felony. Any person who has sexual intercourse with a child who has not attained the age of 12 years is guilty of a Class B felony. Any person who has sexual intercourse with a child who has not attained the age of 16 years by use of threat of force or violence is guilty of a Class B felony. Any person who has sexual contact with a child who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony if the person is at least 18 years of age when the sexual contact occurred. Any person who has sexual contact or sexual intercourse with a person who has not attained the age of 13 years is guilty of a Class B felony. [\[Wis. Stat. s.948.02\(1\)\]](#) Any person who has sexual contact or sexual intercourse with a child who has not attained the age of 16 years is guilty of a Class C felony. [\[Wis. Stat. s.948.02\(2\)\]](#).

### **Underage Sexual Activity**

In the state of Wisconsin, any person who has sexual contact with a child who has attained the age of 15 years but has not attained the age of 16 years, or any person who has sexual intercourse with a child who has attained the age of 15 years, is guilty of a Class A misdemeanor if the person has not attained the age of 19 years when

<sup>23</sup> Wis. Stat. § 940.225(1-3m).

the violation occurs. ([Wis. Stat. s. 948.093](#)) The statute does not apply to the child's spouse.

### Statutory Rape

"Statutory rape" is sexual intercourse with a person who is under the statutory age of consent. In the state of Wisconsin, the statutory age of consent for sexual intercourse is 18 years of age. (Wis. Stat. s. 948.09) Any person who has sexual intercourse with a child who is not that person's spouse and who has attained the age of 16 years is guilty of a Class A misdemeanor. ([Wis. Stats. S. 948.09](#)).

### Stalking

According to the Clery Act, "stalking" is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.<sup>24</sup>

In the state of Wisconsin, "stalking" means a series of two or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:

1. Maintaining a visual or physical proximity to the victim.
2. Approaching or confronting the victim.
3. Appearing at the victim's workplace or contacting the victim's employer or coworkers.
4. Appearing at the victim's home or contacting the victim's neighbors.
5. Entering property owned, leased, or occupied by the victim.
6. Contacting the victim by telephone or causing the victim's telephone or any other person's telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
7. 6m. Photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This

subdivision applies regardless of where the act occurs.

8. 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.
9. Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
10. 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.
11. Causing a person to engage in any of the acts described in subds. 1. to 9.<sup>25</sup>

### Educational Programs and Campaigns

As an institution, UWM provides and, in some cases, mandates comprehensive, intentional and integrated programming, initiatives, strategies and campaigns intended to end dating violence, sexual harassment, domestic violence, sexual violence and stalking. UWM is committed to providing programs, initiatives, strategies and campaigns that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, informed by research or assessed for value, effectiveness or outcome, and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

UWM is committed to providing educational primary prevention and awareness programs for its students and employees. "Primary prevention programs" means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcomes that are intended to stop dating violence, sexual harassment,<sup>26</sup> "Awareness programs" are defined as "community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration."<sup>27</sup>

For more information on trainings for faculty, staff and students regarding Title IX/sexual harassment and sexual violence reporting and response options, visit [uwm.edu/titleix/education-and-training](http://uwm.edu/titleix/education-and-training). For more

<sup>24</sup> 34 CFR 668.46(a).

<sup>25</sup> [Wis. Stat. § 940.32\(1\)\(a\)](#).

<sup>26</sup> 34 CFR 668.46(j).

<sup>27</sup> 34 CFR 668.46(j).

information on trainings and programs for students on sexual and relationship violence prevention, visit <https://uwm.edu/norris/health-services/violence-prevention/> or email [uwm-violenceprevention@uwm.edu](mailto:uwm-violenceprevention@uwm.edu). Additional information about programs is provided below.

### Primary Prevention Programs

UWM implements a variety of culturally relevant, inclusive, sustainable educational programs, trainings, and campaigns to promote the awareness and prevention of sexual violence and sexual harassment for students and employees. As an example, the online training program, *Sexual Assault Prevention* consists of a 1-hour training module and includes videos, interactive exercises, and information regarding consent, alcohol and other drugs, rape, acquaintance rape, domestic violence, dating violence, sexual assault, stalking, healthy and abusive relationships, sexual health, and survivor support. In addition, it includes legal definitions and penalties for sexual assault, statistics on sexual assaults, victim rights and resources on campus, and strategies to recognize and combat sexual assault and sexual harassment.

Employees also undergo extensive training for sexual violence reduction and prevention. Since 2015, UW System has required online sexual assault prevention training for all new employees, as well as a refresher online training program every three (3) years.<sup>28</sup> Employees who are both students and UWM employees have to complete both student-based and employee-based trainings. UWM staff regularly review program curricula and available options to ensure we are utilizing curricula that meet the needs of our students and employees and Title IX requirements.

UWM also provides in the following additional programming:

- *Orientation.* During New Student, Transfer Student, and Family Orientation, the Dean of Students Office, Norris Health Center, and University Police Department verbally share information, resources, and prevention strategies during the “Healthy and Successful U” presentations. This presentation consists of a video on resources available to students for their physical and emotional well-being and an open forum

question and answer session. These orientations are mandatory for all incoming new and transfer students, and voluntary for parents. For the UWM at Waukesha and Washington County campuses, the information is presented via an in-person orientation session, online video, and the Student Handbook website.<sup>29</sup>

- *Fall Welcome.* During Fall Welcome, UWM sponsors the Healthy Choices Event, an educational, interactive program that focuses on campus health priority areas including alcohol and other drugs, mental health, sexual violence prevention. In recent years, this voluntary program has featured The Sex and Drugs Show, which addresses sexual assault prevention, consent, and bystander intervention.<sup>30</sup>

### Ongoing Programs

UWM engages in ongoing prevention and awareness efforts, in addition to the programs above.

- The Title IX Coordinator/Office frequently provides training to responsible employees, including academic department chairs, and to other faculty and staff regarding reporting requirements, available resources, and options for supporting individuals with concerns related to sexual harassment and sexual violence. The Title IX Coordinator/Office participates in outreach and engagement activities on all UWM campuses and offers training to offices, community partners, and student groups upon request.
- The Office of Survivor Support & Victim Advocacy provides confidential advocacy and support services for student victim/survivors. Victim advocates can offer emotional support, help with understanding reporting options, walk students through the process if they choose to report, provide legal, housing, and academic advocacy, and connect students with other resources.
- Norris Health Center, University Counseling, and Office of Health Promotion and Wellness provide sexual violence education through counseling and outreach activities in collaboration with various departments on campus and agencies in the community. For example, the annual Campus and Communities United against Violence Resource Fair involves campus departments and community

<sup>28</sup> UW System Task Force on Sexual Violence and Harassment Report (2015), 19, available at <https://www.wisconsin.edu/sexual-assault-harassment/download/UWS-SVH-Report.pdf>.

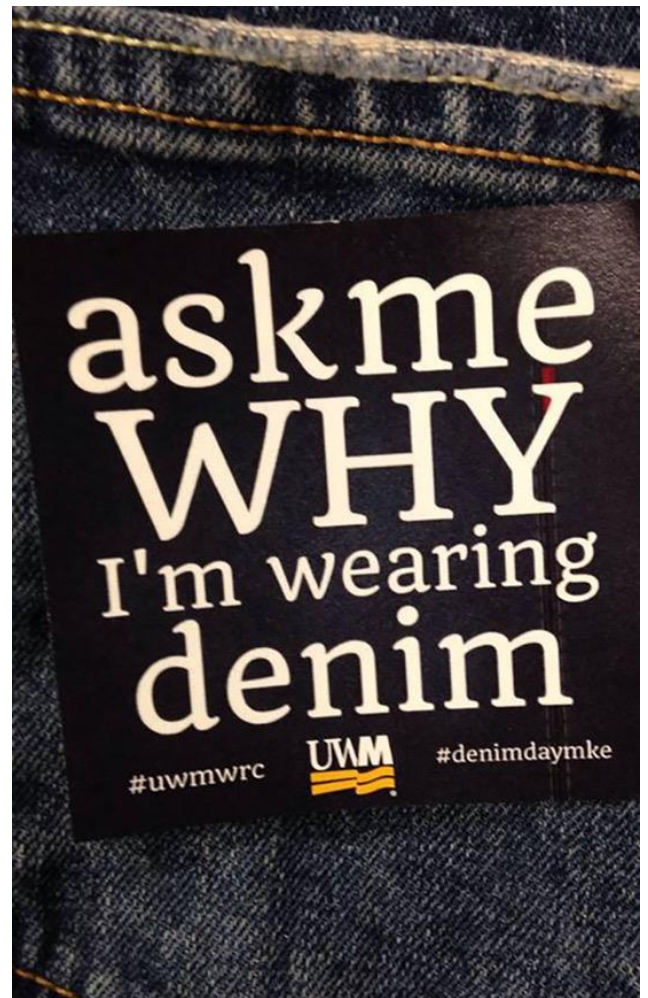
<sup>29</sup> Orientation programs during stay-at-home/safe-at-home orders and/or social distancing during the 2020 COVID-19 pandemic were done in a virtual format for all three (3) campuses.

<sup>30</sup> The Healthy Choices Event was cancelled in Fall 2020 due to the COVID-19 pandemic.



organizations that provide support services to survivors of sexual assault and relationship violence.

- Programs offered by Norris Health Center Health Promotion and Wellness also include Bringing in the Bystander, Healthy Relationships, Gender and Violence Awareness and Communication for De-Escalation.
- Peer Health Educators serve as role models for peers and are a reliable source for health and safety information. Peer Health Educators coordinate programs related to sexual violence prevention, healthy relationships and sexuality, and alcohol and other drug prevention for students within the residence halls and throughout campus<sup>31</sup>.
- The Women's Resource Center (WRC) and the LGBTQ+ Resource Center house a free literature collection, which contains more than 200 titles related to sexual assault, sexual harassment, stalking, and domestic violence/interpersonal relationship violence, as well as other topically related books, DVDs, and materials available to the UWM community.
- The WRC coordinates UWM's Sexual Assault Awareness Month activities with partners across campus and sponsors campus-wide educational programs every April. This includes the annual Denim Day to bring awareness to interpersonal violence.



- Panthers Against Sexual Assault is a student organization that actively engages in programming and initiatives aimed to improve the culture regarding sexual violence, and annually coordinates "Take Back the Night" to build awareness about sexual assault. Panthers Against Sexual Assault works with the WRC and Women and Gender Studies Department faculty advisors.
- In addition to an extensive staff training program for professional and student staff, University Housing annually hosts entertainers (comedians and/or lecturers) who address the issue of alcohol and its relationship to consent. University Housing student leaders, programming groups, and staff host large-scale events for the residents related to sex, sexual consent, and how to have healthy relationships. University Housing hosts a variety of late-night, alcohol alternative programming. These weekly programs are a way to provide students a fun and safe alternative to going out and participating in high-risk behaviors, specifically,

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<sup>31</sup> Peer Health Educator program was temporarily suspended in Spring 2020 due to the COVID-19 pandemic.

high-risk drinking that puts our students in unsafe situations.

- UWM Athletics also sponsors OneLove, an organization that works with young people across the country to raise awareness about the warning signs of relationship violence through a film-based discussion with a trained facilitator.

## **Programming at the Waukesha and Washington County Campuses**

### *Waukesha*

Counseling Services hosted an information table at Waukesha campus related to Domestic Violence Awareness table in the HUB common area on October 19 and 20, 2020. Students were provided with information related to the Counseling Office as well as referral options to community resources such as the Women's Center of Waukesha and the National Domestic Violence Hotline were made available to students. In addition, flyers with pull tabs sharing the contact information for the Hotline were placed around campus for students to discretely remove if desired.

Counseling Services hosted a healthy relationship screening for Love is Respect on February 9, 2021 in the HUB of Waukesha Campus. Students were able to take a screening using Love is Respect's *Healthy Relationship Screening* tool in an empty class space or discretely at a table if they preferred. Counseling Services staff then scored the assessment for risk and provided information related to Counseling Services or community resources for support if there was an indication of risk.

In April of 2021 Counseling Services had passive marketing related to Sexual Assault Awareness Month were placed on campus. A campus specific denim day event on April 21 was used to market for the national Denim Day event on April 28. Individual marketing on social media and flyers on campus were also used to encourage participation.

### *Washington County*

On October 26, 2020 Counseling Services hosted a tabling event in the main entrance of campus with wellness information and Domestic Violence resources. Information related to the Counseling Office as well as community resources such as Friends, Inc. and the National Domestic Violence Hotline were made available to students. In addition, flyers with pull tabs

sharing the contact information for the Hotline were placed around campus for students to discretely remove if desired.

Counseling Services hosted a healthy relationship screening for Love is Respect on February 10, 2021 in the main entrance area of Washington County campus. Students were able to take a screening using Love is Respect's *Healthy Relationship Screening* tool in an empty class space or discretely at a table if they preferred. Counseling Services staff then scored the assessment for risk and provided information related to Counseling Services or community resources for support if there was an indication of risk.

In April of 2021 Counseling Services had passive marketing related to Sexual Assault Awareness Month were placed on campus. A campus specific denim day event on April 19 was used to market for the national Denim Day event on April 28. Individual marketing on social media and flyers on campus were also used to encourage participation.

## **Bystander Intervention Programs and Risk Reduction**

UWM is committed to providing bystander intervention initiatives. These are promoted and facilitated on a monthly basis in collaboration with campus community leaders, socio-cultural centers and faculty. Through bystander intervention trainings, employees and students can learn how to engage as proactive bystanders to identify the signs of abuse and respond by using empathic risk reduction techniques.

"Bringing in the Bystander" is a voluntary, 2- hour, evidence-based bystander training designed for students. The training identifies a continuum of inappropriate behavior that contributes to a culture of sexual violence and asks that each member of the community commit to intervene in safe, individualized strategies that reflect an appropriate level of intervention for the inappropriate behavior. Facilitated by the Norris Health Center's Office of Health Promotion and Wellness, "Bringing in the Bystander" workshops can be coordinated by contacting [uwm-violenceprevent@uwm.edu](mailto:uwm-violenceprevent@uwm.edu). Information pertaining to the design, development and research of the Bringing in the Bystander curriculum can be found at <https://www.soteriasolutions.org/college>.

### **Bystander Intervention Tips**

Bystander intervention means safe and pro-social

options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence; overcoming barriers to intervening, identifying safe and effective intervention options, and acting to safely intervene.

Friends, campus community members and peers can serve as an important role in reducing acts of all forms of violence. Individuals should always assess their own safety, but options to safely intervene when a situation looks like it may lead to violence may include:

- Using a **Direct** approach: If you see someone doing something that is making another person uncomfortable, telling them to stop.
- **Delegating:** If you don't feel like you can intervene on your own, ask others to help you.
- **Creating a Distraction:** Sometimes the best way to get someone out of a potentially dangerous situation is to divert attention elsewhere.
- If a situation causes you concern, chances are other people are also concerned. By speaking up and being a proactive bystander, you can encourage others to do the same.

If any situation becomes volatile or makes you feel unsafe, contact the [police](#).

### Risk Reduction

To be clear: a victim/survivor's decisions and actions never justify their being subjected to harm or violence. These acts always depend on someone else making the choice to cause that harm. However, there are things we can all do to help promote individual and community safety, such as:

- Have healthy, open and ongoing conversations with your partner or potential partner about sex and sexual contact. Talk about your boundaries and what behaviors you both feel comfortable, and uncomfortable, engaging in.
- Respect everyone's personal boundaries in all situations, including those involving sex. Consent should be clear, knowing, and voluntary. If you're not certain you've obtained consent, stop and check in with your partner.
- Understand that people who are incapacitated by alcohol or drugs cannot give consent. Signs of incapacitation may include—but are not limited to—throwing up, slurring words, stumbling, or not

being able to remember conversations.

- When going out with friends, plan ahead. Charge your phone before going out and stay in contact with your friends throughout the evening. Create a plan with friends to check in and on each other before heading out. If someone doesn't check in, call or text to make sure they're okay.
- Pay attention to your gut instincts. If a situation feels uncomfortable, find someone you trust, or leave.
- Contact 911 if you have concerns for your safety, or if you believe someone else is in immediate danger.
- Use and encourage others to have a companion or a safe means of getting home, i.e., a trusted friend, taxi, etc.
- Apply [bystander intervention](#) concepts.

Red flags and behaviors of an abusive partner may include but are not limited to:

- Sabotaging or obstructing their partner's ability to work or attend school
- Controlling what their partner wears and how they act
- Demeaning their partner either privately or publicly; name calling; criticism.
- Attempting to isolate their partner from family or friends.
- Threatening to harm their partner, their partner's family, pets, or belongings.
- Monitoring where their partner goes, who they call, and who they spend time with.
- Expecting their partner to ask permission from them before social engagement.
- Threatening and/or using a weapon against their partner.
- Having ever forced, coerced, or manipulated their partner into having sex or performing sexual acts.
- Accusing their partner of cheating or is often becoming jealous of their relationships with others.
- Trapping their partner in their apartment or residence hall room and keeping them from leaving.
- Using social media, texting, and/or calling their partner obsessively to find out where they are and what they are doing.

[Procedures for Reporting Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, Sexual Exploitation, or Stalking](#)



Reporting incidents of sexual harassment and sexual violence to UWM authorities as soon as possible will help ensure that victim/survivors are aware of services available to them and that University staff can act on UWM's commitment to providing a safe environment to

live, work, and learn. For the sake of clarity, "reporting" is used here to refer to the formal disclosure of a sexual harassment or sexual violence incident.

Incidents of sexual harassment or sexual violence can be reported to several offices on Kenwood campus:

CONTACT	LOCATION	PHONE	WEBSITE
Title IX Coordinator	Chapman Hall 335	414-229-7012	<a href="http://uwm.edu/titleix/">uwm.edu/titleix/</a>
UWMPD	Sandburg Hall, WB90	Emergency: 911 Non-Emergency: 414-229-4627	<a href="http://uwm.edu/police/">uwm.edu/police/</a>
Dean of Students Office	Student Union 345	414-229-4632	<a href="http://uwm.edu/deanofstudents/">uwm.edu/deanofstudents/</a>
Office of Equity/Diversity Services	Mitchell 359	414-229-5923	<a href="http://uwm.edu/equity-diversity-services/">uwm.edu/equity-diversity-services/</a>
University Housing Office	Sandburg Hall C120	414-229-5712	<a href="http://uwm.edu/housing/">uwm.edu/housing/</a>
Chief Student Affairs Officer	Chapman Hall 132	414-229-4038	<a href="http://uwm.edu/studentaffairs/">uwm.edu/studentaffairs/</a>
Campus Health Officer	Northwest Quad Building B, 5 <sup>th</sup> Floor	414-229-5684	<a href="http://uwm.edu/norris/">uwm.edu/norris/</a>

For the Waukesha and Washington County Campuses:

CONTACT	LOCATION	PHONE	WEBSITE
Title IX Coordinator	Chapman Hall 335	414-229-7012	<a href="http://uwm.edu/titleix/">uwm.edu/titleix/</a>
Assistant Dean for Students	Physical office located within the Student Affairs Office	262-335-5211	

## Confidential Resources

If a student is uncertain about whether they want to report an incident of sexual harassment or sexual violence, they can talk to someone confidentially at the following:

CONTACT	LOCATION	PHONE	WEBSITE
On Campus Resources - Available to students			
Norris Health (medical staff)	Norris Health Center Building 3351 N. Downer Avenue	414-229-4716	<a href="http://uwm.edu/norris/">uwm.edu/norris/</a>
University Counseling Services (counseling staff)	Northwest Quadrant, Building B, 5th Floor	414-229-4133	<a href="http://uwm.edu/norris/counseling/">uwm.edu/norris/counseling/</a>
Office of Survivor Support & Victim Advocacy Service		414-229-4582	<a href="http://uwm.edu/norris/health-services/survivor-support/">uwm.edu/norris/health-services/survivor-support/</a>
Off Campus Resources – Available to all			
Aurora Healing and Advocacy Services	130 W Bruce Street, 4th floor Milwaukee, WI 53204	414-219-5555	<a href="http://www.aurorahealthcare.org/healing-advocacy-services">www.aurorahealthcare.org/healing-advocacy-services</a>
Sojourner Family Peace Center	619 W. Walnut Street Milwaukee, WI 53212	414-933-2722	<a href="http://familypeacecenter.org/">familypeacecenter.org/</a>

Employees may receive confidential assistance through their own health care provider or the following:

CONTACT	LOCATION	PHONE	WEBSITE
UWM Employee Assistance Program	<i>Off campus resource.</i>	866-274-4723	<a href="http://uwm.edu/hr/eap/">uwm.edu/hr/eap/</a>
Aurora Healing and Advocacy Services	<i>Off campus resource.</i> 130 W Bruce Street, 4th floor Milwaukee, WI 53204	414-219-5555	<a href="http://www.aurorahealthcare.org/healing-advocacy-services">www.aurorahealthcare.org/healing-advocacy-services</a>
Sojourner Family Peace Center	<i>Off campus resource.</i> 619 W. Walnut Street Milwaukee, WI 53212	414-933-2722	<a href="http://familypeacecenter.org/">familypeacecenter.org/</a>

For the Waukesha campus, the following are confidential resources for students:

CONTACT	LOCATION	PHONE	WEBSITE
Campus Counseling Center	Student Development, Room A115	262-521-5480	<a href="http://uwm.edu/waukesha/campus-life/campus-counseling-center/">uwm.edu/waukesha/campus-life/campus-counseling-center/</a>
The Women's Center	505 North East Avenue Waukesha, WI 53186	24-Hour Hotline: 262-542-3828	<a href="http://twcwaukesha.org/">twcwaukesha.org/</a>

For the Washington County campus, the following are confidential resources for students:

CONTACT	LOCATION	PHONE	WEBSITE
Campus Counseling Center	Student Affairs Office, Room 123	262-335-5200	<a href="http://uwm.edu/washington/campus-life/campus-counseling-center/">uwm.edu/washington/campus-life/campus-counseling-center/</a>
FRIENDS, Inc.	West Bend, WI 53095	Crisis Line: 262-334-7298	

## Reporting to UWMPD

Individuals can report sexual violence concerns to UWMPD by contacting the department by phone or in person. UWMPD officers will then interview the reporting party about the incident(s) and report. Subsequent investigative measures will vary based upon the incident(s). UWMPD will accept voluntary, anonymous crime reports to the extent that the law allows. Such reports allow UWMPD to respect the wishes of the reporting party to remain anonymous while allowing UWMPD and UWM to take steps to ensure the safety of the campus community. Reporting an incident of sexual violence to UWMPD does not obligate the victim to seek prosecution.

Anonymous reports will be entered into the Automated Records Management System and tracked as anonymous.

Filing a police report may help:

- Ensure that a victim of sexual violence receives

any necessary medical treatment and has access to counseling from individuals specifically trained in the area of sexual assault crisis intervention.

- Provide the opportunity for collection and preservation of evidence, which may be difficult or impossible to obtain later.
- Aid in the apprehension of offenders and make it possible to pursue potential prosecution through the criminal justice system.
- Aid the victim in pursuing a protective (restraining) order, if desired and warranted.

## Reporting to the Title IX Coordinator and other University Staff

Individuals can also report concerns to the UWM Title IX Coordinator for potential investigation and discipline under UWM's internal policies. Trained investigators from various units may investigate sexual harassment and sexual violence allegations under the coordination of the UWM Title IX Coordinator. The Title IX



Coordinator oversees the University's compliance with Title IX of the 1972 Education Amendments. Title IX, as amended, prohibits discrimination on the basis of sex in any educational program or activity receiving federal financial assistance. Covered under Title IX are educational programs and services such as: housing, athletics, admissions, financial aid, recruitment, student treatment services, counseling, guidance, discipline, classroom assignments, and grading.

Anyone wishing to report an incident of sexual harassment or sexual violence may contact the Title IX Coordinator, regardless of the status of the individuals involved. Any concern or incident can also be reported via the links available at [www.uwm.edu/titleix](http://www.uwm.edu/titleix), and staff receiving such a report will refer it to the appropriate office for review and follow-up. Certain UWM employees who receive information regarding an incident or situation involving sexual harassment or sexual violence are required to promptly report the incident to the Title IX Coordinator. Upon receipt of such a report, the Title IX Coordinator will, generally, reach out to the individual who experienced the concern and provide information about resources and response options. More information about UWM employee reporting requirements can be found in the UWM [Discriminatory Conduct and Consensual Relationships Policy \(SAAP 5-1\)](#) and the UWM [Sexual Violence and Sexual Harassment Policy \(SAAP 5-2\)](#).

UWM provides training and information to many staff members who may respond to and support victims/survivors, however, healing can look different for everyone. UWM understands that not all victims/survivors are comfortable or choose to report incidents to law enforcement or campus administrators. Additional services available to victims of crime occurring both on and off campus are listed in this section, including confidential options that will not result in criminal or university investigation.

When reporting sexual misconduct, 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 worn at the time, a record of threatening text messages and emails, and bodily fluids.) For a forensic exam, please visit Aurora Healing and Advocacy Services, which is an off-campus resource, at 414-219-5555.
- A Forensic Nurse Exam can be obtained free of

charge and without notifying UWM or law enforcement. Information on how to obtain a Forensic Nurse Exam can be found on the [UWM Title IX website](#), and [Wisconsin Department of Justice, Medical Forensics Program website](#)

- Although it is best not to shower, even if a victim has showered and changed clothes, a police report can be filed and/or medical exam can be obtained.
- Campus officials are required to provide information about options and assist in making contact with law enforcement personnel if requested.
- Filing a report will generally involve an interview with a law enforcement officer [or an investigating officer from the Title IX office, or both, if you choose to report to both agencies]. You may request an officer of the gender you feel most comfortable with to take your statement.

### Victim/Survivor's Rights

Following a report of sexual assault, domestic violence, dating violence, sexual exploitation, sexual harassment and/or stalking to UWM, whether the offense occurred on or off-campus, UWM will provide the individual an explanation of their rights and options related to UWM. All victims/survivors have the right to be accompanied by a person of their choosing, including a confidential advocate, when they submit a report, and to any meetings related to institutional disciplinary proceedings.

A student who is the victim/survivor of sexual harassment or sexual violence has the right to:

- Report the incident to the Title IX Coordinator, Dean of Students Office, University Housing, and/or Office of Equity/Diversity Services to initiate an investigation, receive information on obtaining a campus "no contact" directive and/or protective (restraining) court order, and/or for assistance in notifying UWMPD or local law enforcement. The victim/survivor may also report the incident to UWMPD, or local law enforcement if the incident occurred off-campus.
- Receive assistance from the Title IX Coordinator, Dean of Students, Office of Equity/Diversity Services, Norris Health Center, branch campus counseling staff, and University Housing in notifying UWM Police Department or local law enforcement.
- Decline to report the incident to law enforcement or the University.
- Receive information and/or assistance from the

Dean of Students Office in asking the alleged respondent to not contact the victim and/or to receive information from UWMPD on obtaining a protective court order.

- Confidentially contact the Office of Survivor Support & Victim Advocacy to discuss available assistance and support, including information on UWM Title IX and/or criminal justice processes,

and on obtaining a protective court order.

- Receive medical services, advocacy services, and confidential counseling services from the offices listed above, as appropriate.
- Receive written notification of all services/options.
- Receive advocacy, personal support, crisis intervention, and other support services, including referrals for visa/immigration assistance, from:

CONTACT	LOCATION	PHONE	WEBSITE
UWM Office of Survivor Support & Victim Advocacy Service	On campus resource	414-229-4582	<a href="http://uwm.edu/norris/health-services/survivor-support/">uwm.edu/norris/health-services/survivor-support/</a>
Aurora Healing and Advocacy Services	Off campus resource 130 W Bruce Street, 4th floor Milwaukee, WI 53204	414-219-5555	<a href="http://www.aurorahealthcare.org/healing-advocacy-services">www.aurorahealthcare.org/healing-advocacy-services</a>
Sojourner Family Peace Center	Off campus resource 619 W. Walnut Street Milwaukee, WI 53212	414-933-2722	<a href="http://familypeacecenter.org/">familypeacecenter.org/</a>
Milwaukee Bar Association Lawyer Referral and Information (legal services)		414-274-6768	<a href="http://www.findmilwaukeeattorneys.org/">www.findmilwaukeeattorneys.org/</a>
Center for International Education (VISA and immigration assistance and/or referrals)	Garland Hall, 1st Floor	414-229-4846	

## Protective Measures

Students who are the victim/survivor of sexual harassment or sexual violence may receive assistance, upon request, from the Survivor Support & Victim Advocacy Coordinator or the Title IX Coordinator in changing academic, living, transportation, financial aid, and campus working situations if requested and if such accommodations are reasonably available and regardless of whether the victim/survivor chooses to report the crime to UWMPD or local law enforcement.

UWM will preserve student privacy to the extent possible while providing such accommodations or protective measures. UWM will limit disclosure regarding any protective measures to only those individuals who need to know about them to implement or enforce them, and records concerning such measures are maintained consistent with UWM's obligation to maintain the privacy of student education records, and consistent with state and federal laws.

Students who are the victim/survivor of sexual harassment or sexual violence may receive information and/or assistance from the Dean of Students Office in obtaining a campus "No Contact" directive and/or UWMPD or Office of Survivor Support & Victim Advocacy in obtaining a protective order from a local court.

## Criminal Victim's Rights

In the state of Wisconsin, individuals who are the victims of crime, and who report that crime to the police, are entitled to certain protections.<sup>32</sup> These rights include the general right to be "treated with fairness, dignity, and respect for his or her privacy by public officials, employees, or agencies;"<sup>33</sup> as well as to attend court proceedings;<sup>34</sup> "to receive protection from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts;"<sup>35</sup> "to be informed of financial assistance and other social services available as a result of being a witness of a crime;"<sup>36</sup> be accompanied by a victim advocate to law enforcement

<sup>32</sup> Wis. Stat. Ch. 950.

<sup>33</sup> Wis. Stat. § 950.04(1v)(ag).

<sup>34</sup> Wis. Stat. § 950.04(1v)(b).

<sup>35</sup> Wis. Stat. § 950.04(2w)(c).

<sup>36</sup> Wis. Stat. § 950.04(2w)(d).

interviews;<sup>37</sup> and at interviews and proceedings related to the crime.<sup>38</sup> A full description of the rights of victims and witnesses of crimes is available at [docs.legis.wisconsin.gov/statutes/statutes/950.pdf](https://docs.legis.wisconsin.gov/statutes/statutes/950.pdf)

In addition to the rights given by federal and state law, UWM is committed to ensuring that victims/survivors of sexual misconduct also have the following rights:

- The right to seek a victim advocate of their choosing. Additional information and resources about victim advocacy, services on campus, and in the community is available at [uwm.edu/titleix/get-help/confidential-advocacy-services/](https://uwm.edu/titleix/get-help/confidential-advocacy-services/)
- The right to access sexually transmitted infection (STI) testing and treatment, emergency contraception, and pregnancy testing.
- The right to be informed of and have access to their own medical, mental health, Forensic Nurse Examiner, campus disciplinary, and/or victim advocacy services.
- The right to have options for offering their testimony in a campus disciplinary hearing.
- UWM will disclose to the victim of a crime of violence or non-forcible sex offense the results of any disciplinary hearing conducted by UWM against a student who is an alleged perpetrator of such crime or offense. If the victim is deceased as a result of the crime or offense, UWM will provide the results of the disciplinary hearing to the next of kin of the victim, if requested in writing.

## Restraining Orders and No Contact Orders

The following information is provided by the Wisconsin Department of Justice, available at [www.doj.state.wi.us/ocvs/victim-rights/restraining-orders](https://www.doj.state.wi.us/ocvs/victim-rights/restraining-orders), and the Wisconsin Coalition Against Sexual Assault, available at [www.wcasa.org/resources/](https://www.wcasa.org/resources/).

### **Restraining Order**

A restraining order (RO) is a court order that orders someone not to hurt you, to stay away from you, move out of the house, have no contact with you, or stop harassing you.

To get a restraining order, start the process by requesting papers for a temporary restraining order (TRO). These

papers are called the petition. The person completing the petition is called the petitioner. The person against whom the petition is filed is called the respondent. Once an individual has filed a TRO petition, the court decides whether, or not, to issue a TRO based on the information in the petition. If the court grants the TRO, the court will schedule a hearing for the petitioner to return to court within 14 days. This hearing is called an injunction hearing. At that hearing the petitioner can ask the court to order a final order of protection, which is called an injunction. An injunction can be granted for up to two (2) years for child abuse, and up to four (4) years for domestic abuse, harassment, and individuals at risk. In cases where there is a substantial risk of homicide or sexual abuse to the petitioner by the respondent, the injunction may be granted for up to five (5) years for child abuse, and up to 10 years for domestic abuse, harassment, and individuals at risk.<sup>39</sup>

Victims/survivors sometimes ask if restraining orders are necessary if there is no criminal action pending. ROs do provide protections that are unavailable through the criminal trial process, such as the authority for law enforcement to make an immediate arrest if a violation occurs. Victims/survivors sometimes also have other questions about how a RO may impact a criminal case or if they can obtain more than one type of RO. Victims/survivors may want to discuss these complicated questions with the district attorney or with an advocate, so the victim/survivor can make the decisions that will keep them safest. Advocates can assist victims/survivors with better understanding the RO process, developing a safety plan, and providing additional resources.<sup>40</sup>

### **Harassment Restraining Orders (HROs)**

An HRO may be appropriate for some victims/survivors who experience sexual harassment or sexual violence by someone with whom they have not had an intimate relationship. Grounds include, but are not limited to: striking, shoving, kicking or otherwise subjecting another person to physical contact or attempting or threatening to do the same; engaging in a course of conduct or repeatedly committing acts which harass or intimidate another person and serve no legitimate purpose; engaging in child abuse (see definition below), sexual assault, or stalking. One (1) act of sexual assault can be grounds to obtain this restraining order.

<sup>37</sup> Wis. Stat. § 950.045(1).

<sup>38</sup> Wis. Stat. § 950.045(2).

<sup>39</sup> Wisconsin Department of Justice (2017). Restraining Orders, available at [www.doj.state.wi.us/ocvs/victim-rights/restraining-orders](https://www.doj.state.wi.us/ocvs/victim-rights/restraining-orders).

<sup>40</sup> For additional information about Restraining Orders in Wisconsin, individuals can contact the UWM Office of Victim Advocacy & Survivor Support, and/or visit [www.wcasa.org/resources/areas-of-interest/systems/civil-legal-needs-of-survivors/](https://www.wcasa.org/resources/areas-of-interest/systems/civil-legal-needs-of-survivors/) or [www.endabusewi.org/our-work/legal-services/](https://www.endabusewi.org/our-work/legal-services/).



Any person harassed, including an adult, a child, the parent, stepparent, legal guardian, or guardian ad litem, of a child who was harassed, can file a HRO against any person, child or adult, who engages in harassment as described above. A few additional individuals can petition in a proceeding brought under Wis. Stat. §48.13 (child in need of protection or services).

The respondent can be ordered to cease or avoid the harassment of the petitioner, to avoid the residence of the petitioner (this can be ordered temporarily even when the respondent owns the property), or any combination of these remedies. The RO can be in effect up to four (4) years. A firearm surrender is not automatic but may be requested by the petitioner of the HRO.

### **Domestic Abuse Restraining Order (DARO)**

Sexual assault is a common form of domestic abuse by intimate partners. Grounds for a DARO include but are not limited to, intentional infliction of physical pain; physical injury or illness; intentional impairment of physical condition; sexual assault (1st – 3rd degree); intentional damage of property; or threats to engage in any of the above.

An adult family member, adult household member, adult former spouse, adult with whom the petitioner has a child in common, adult with whom the petitioner has or had a dating relationship, an adult under a caregiver's supervision, or a guardian of an individual adjudicated incompetent can file for a DARO. The petitioner must be the victim except for the guardian of an incompetent individual.

A DARO can be granted against an adult family member, adult household member, adult former spouse, adult with whom the petitioner has a child in common, adult with whom the petitioner has or had a dating relationship, or an adult caregiver.

The respondent can be ordered to refrain from committing acts of domestic abuse against the victim, avoid the victim's residence or any other location temporarily occupied by the victim and/or the (this can be ordered temporarily even when the respondent owns the property), avoid contacting or having others contact the victim, any combination of these remedies, or any other appropriate remedy not inconsistent with the remedies requested in the petition. If a DARO is granted, it must be for the duration requested by the victim, but may not exceed four years. If a DARO is granted, firearms surrender is mandatory.

### **Child Abuse Restraining Order (CARO)**

This restraining order is used when children are abused. Grounds include but are not limited to: sexual assault (1st – 4th degree); sexual assault of a child (1st and 2nd degree); repeated acts of sexual assault; sexual exploitation of a child; permitting, allowing or encouraging a child to engage in child prostitution; causing a child to view or listen to sexual activity; causing child to expose or exposing genitals or pubic area to a child; emotional damage; physical injury; or threats to engage in this conduct.

A victim of child abuse or the parent, stepparent, legal guardian, or guardian ad litem of a victim can file for a CARO. A few additional individuals can petition in a proceeding brought under Wis. Stat. §48.13 (child in need of protection or services).

A CARO can be granted against any person, child or adult, who engages in child abuse. A claim of emotional damage can be brought against a parent, guardian, or legal custodian who has neglected, refused, or been unable to ameliorate those symptoms for reasons other than poverty.

A respondent can be ordered to avoid the victim's residence and avoid contacting or causing any person to contact the victim (with a few narrow exceptions). The injunction can be granted for up to two (2) years or until the child reaches 18, whichever is first. If a CARO is granted, firearms surrender is mandatory. A CARO may also set or restrict visitation rights, if the respondent is the parent of the child victim.

### **Enforcing a Restraining Order**

If the respondent violates the restraining order, call the police immediately. The respondent has just committed a crime. Ask the police to have the District Attorney's office review the case for charges even if no arrest is made. If the respondent is on probation or parole, give a copy of the Restraining Order to the parole agent and report any violations. To find out who their probation agent is, call the Department of Corrections Central Records at (608) 240-3750 and provide the person's name or birthday.

### **UWM and Restraining Orders**

UWM will enforce active restraining orders issued by a court of law, including tribal courts, when provided notice of the order. Students who have a court-issued restraining order and wish to inform UWM should

contact the Dean of Students Office or UWMPD. Employees who have a court-issued restraining order should notify UWMPD. Please be aware that notification to the University of an existing court-ordered restraining order may require the Title IX Coordinator to evaluate the situation giving rise to the order if prescribed by Title IX.

If your restraining order is being violated, regardless of whether or not you have informed UWMPD, please call 911 immediately.

### *No Contact Orders*

No Contact Orders can be issued by the Dean of Students Office, and in situations where there are allegations of sexual harassment or sexual violence, a Title IX Coordinator can also issue a No Contact Order. No Contact Orders are issued in writing via a student's university email, and when possible, verbally. Recipients of the No Contact Order are informed that future contact with the individual or individuals named in the No Contact Order may be considered harassment and could result in a disciplinary investigation. If the individuals involved are in student organizations, activities, or classes together, the parameters of the No Contact Order will be discussed and additional expectations for minimizing contact may be added to the written correspondence. Students will be provided with an opportunity to ask questions about the terms of the No Contact Order issued to them.

### Information About Sex Offenders

The federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement to the campus community about where to find information on registered sex offenders in the state. It also requires sex offenders who are already required to register with the state to notify that state if they are enrolled, carry on a vocation and/or are employed in a post-secondary institution.

In Wisconsin, convicted sex offenders must register with the Department of Corrections; a registry can be found at [offender.doc.state.wi.us/public](http://offender.doc.state.wi.us/public). UWM will inform the campus if there is a change in how and where this data may be obtained.

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 for police, victims, and the general public.

The official web site is designed to enhance public safety by making the information contained in the Sex Offender Registry easily accessible to the public. It also serves to enhance public awareness about sexual violence in our communities and provide valuable information about the ways in which individuals and communities can protect themselves and those they love from acts of sexual violence.

The Wisconsin Department of Corrections supplies information to UWMPD regarding registered sex offenders who are enrolled and/or employed at UWM. This information can also be found at [uwm.edu/police/services/crime-data/sex-offender-information/](http://uwm.edu/police/services/crime-data/sex-offender-information/).

### UWM Protective Measures and Resource Notification

UWM will provide written notification about options for protective measures to victims/survivors who report sexual assault, domestic violence, dating violence, sexual violence, and/or stalking, as well as to respondents, subject to and consistent with regulations relating to the implementation of Title IX, where applicable. UWM may be able to offer a range of appropriate protective measures, including changes to academic, working, transportation, and living situations if requested by the complaint(s) or the respondent(s), and as reasonably available. UWM may also issue a directive ordering the parties to a complaint not to have contact with each other. Protective measures can be ongoing, are not necessarily tied to the outcome of a disciplinary action and will be determined on a case-by-case basis in response to the request and concerns of the victim. The UWM Victim Advocate, Dean of Students Office, and/or UWMPD can assist in developing a safety plan. More information on No Contact Orders is available in the Restraining Orders section of this document.

UWM will provide written notification to parties to a sexual violence complaint about options for, and assistance in, requesting changes to academic, living, transportation, and working situations or protective measures. This will be provided whether the alleged offense occurred on or off campus. UWM will make such accommodations or provide such protective measures if the victim/survivor requests them and if they are reasonably available, regardless of whether the victim/survivor chooses to report the crime to campus police or local law enforcement. This information is also provided to all students and employees in this

ASR/ASFR.

### Confidentiality

UWM takes confidentiality seriously. UWM will share information with others only on a need-to-know basis, which may include investigators, witnesses, the complainant and respondent, relevant UWM officials, or as required or permitted by law. UWM will maintain as confidential, to the extent permitted by law, any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of UWM to provide accommodations or protective measures.

When a student and/or employee victim/survivor reports to a university office and/or official who is not explicitly designated as a confidential resource, UWM takes every precaution to protect privacy and confidentiality by sharing information only with university officials who have a legitimate educational or employment interest and/or those who need-to-know for the purposes of providing an institutional response. Anyone who has experienced sexual harassment or sexual violence may choose to consult with a licensed mental health care provider or health care provider of their choice. By law, such professionals are able to assist victims confidentially and are exempt from legal obligations to report incidents to the university, with some limited exceptions, such as child abuse, elder abuse, or certain threats of harm. For additional information about these services, visit the “Confidential Resources” section of this report.

UWM maintains information about sexual misconduct in a secure manner. When a victim/survivor requests confidentiality or requests UWM not proceed with an investigation, UWM respects that request to the extent possible, consistent with state and federal legal requirements. In rare circumstances UWM’s legal obligation to provide a safe and nondiscriminatory environment may require that UWM proceed with an investigation, which may require investigators to share limited identifying information about a victim/survivor; however, UWM takes steps to inform a victim/survivor should it become necessary to do so. In all cases, UWM works with the victim/survivor to provide resources and support. UWM policy prohibits retaliation against anyone who reports or participates in an investigative or disciplinary process by UWM.

For victims/survivors aged 18 and older who report to non-confidential sources, reports of sexual assault, domestic violence, dating violence, sexual violence,

and/or stalking are directed to the Title IX Coordinator, who will share relevant information only with those who need to know, such as Deputy Title IX Coordinators, investigators, and other individuals who are responsible for handling the school’s response to incidents, or as necessary to comply with the Wisconsin Public Records Law, a valid subpoena, a lawful discovery request, or a governmental inquiry or investigation. UWM follows applicable Title IX regulations and guidance and the requirements of the federal Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g, when evaluating whether to disclose student information. In the case of minors, UWM employees must report child abuse to Child Protective Services or local law enforcement.

For Clery Act reporting and disclosures, a victim/survivor’s name or identifying information will never appear in a Timely Warning, on the Daily Crime Log or in the Annual Security Report. UWM will redact a victim/survivor’s identifying information when responding to requests for information pursuant to the Wisconsin Public Records Law. UWM 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. UWM must respond to valid subpoenas that are not prohibited by other applicable law and may not be able to redact information when responding to a subpoena.

There are confidential resources available, such as UWM Office of Survivor Support & Victim Advocacy Services or the Campus Counseling Centers located on the Washington County or Waukesha campuses (see the Confidential Resources section of this report). Other licensed healthcare providers and counselors employed by UWM follow the confidentiality requirements of their profession when they are providing care to a patient or a client.

For information about off-campus and non-UW affiliated confidential resources, please see the “Confidential Resources” section of this report.

### UWM Disciplinary Action for Sexual Assault, Domestic Violence, Dating Violence, Sexual Exploitation, & Stalking

UWM policy prohibits sexual misconduct, including sexual harassment, sexual assault, domestic violence,

dating violence, sexual exploitation, and/or stalking. The following policies and procedures of the University of Wisconsin System, and UWM apply to UWM's response to allegations of such student or employee misconduct. Complaints against students will be processed through Chapter UWS 17 (Student Nonacademic Disciplinary Procedures), Wisconsin Administrative Code. Complaints against employees will be processed under the UWM Discriminatory Conduct and Consensual Relationships Policy (SAAP 5-1), the UWM Sexual Violence and Sexual Harassment Policy (SAAP 5-2), and the UWM Policy on Investigation and Resolution of Formal Title IX Complaints (SAAP 5-4). For additional information about these policies and processes, visit [uwm.edu/titleix/](http://uwm.edu/titleix/).

Referral for prosecution under criminal law is also possible cases of sexual violence. Student employees may be subject to nonacademic misconduct charges in addition to any employment-related action.

Any investigations will be fair and impartial from the outset of the investigation through its conclusion. UWM will complete a sexual misconduct investigation promptly in accordance with federal guidance, although the timeframe for investigation will depend upon the availability of witnesses and evidence, and other factors such as a parallel criminal investigation, school breaks, reasonable requests by either party for an extension, and the complexity of the investigation. All individuals in the investigation and disciplinary hearing process, at a minimum, receive annual training on issues related to sexual misconduct as well as how to conduct an investigation and hearing that protects the safety of parties to the complaint and promotes accountability.

In all sexual misconduct investigations, UWM uses a preponderance of evidence standard to determine whether an act of sexual violence occurred. A "preponderance of evidence" means information that would persuade a reasonable person that a proposition is more probably true than not true.

### **Chapter UWS 17: Student Non-Academic Misconduct**

Sexual misconduct committed by a student may lead to university-imposed disciplinary procedures and sanctions. That process is contained in Chapter UWS 17.<sup>41</sup>

Chapter UWS 17 is a part of the Wisconsin Administrative Code and was adopted by the State of Wisconsin as a set of student disciplinary procedures for the University of Wisconsin System. It defines conduct by students that may result in University discipline and also describes the sanctions which may be imposed and the procedures for carrying out disciplinary actions. Due process for students accused of misconduct is an important part of these procedures.).

Nonacademic misconduct policies cover a broad spectrum of conduct involving students' behavior wherever it takes place. A student may be subject to discipline for conduct that is or already has been the subject of criminal action. This means that a student who is given a citation and/or arrested by law enforcement may also be subject to nonacademic misconduct proceedings.

Sexual misconduct cases are subject to unique procedures as defined in UWS 17.151-17.156. Such disciplinary procedures typically take 90 calendar days following the conclusion of any sexual misconduct investigation, depending upon several factors, including, but not limited to, the availability of witnesses and any hearing committee/examiner.

Chapter UWS 17 process guarantees the following rights in sexual misconduct cases:

- Proceedings will be prompt, fair and impartial.
- Investigations and all relevant proceedings will be conducted by officials who receive, at minimum, annual training on sexual harassment definitions, the scope of UWM's education programs and activities, how to conduct an investigation and grievance process, how to serve impartially, and how to avoid prejudgment of facts, conflicts of interest and bias.
- Hearing examiners and committees will also receive training on conducting sexual misconduct hearings, including assessing the relevance of evidence and the relevance of questions, among other topics.
- A hearing examiner's or committee's finding of misconduct in sexual misconduct cases will be based on a preponderance of the evidence standard.
- The complainant will have the same opportunity as the respondent to have others present during a

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<sup>41</sup> For student conduct processes that were in effect before August 14, 2020, visit <https://docs.legis.wisconsin.gov/document/administrativecodearchive>

[/726/insert/UWS%2017.pdf](#). For student conduct processes that were in effect between August 14, 2020 and May 10, 2021, visit [https://docs.legis.wisconsin.gov/code/emergency\\_rules/all/emr2027](https://docs.legis.wisconsin.gov/code/emergency_rules/all/emr2027).



disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor or support person of their choice.

- UWM will not limit the choice of an advisor or support person or the presence of such person for either the respondent or the complainant in any meeting or institutional disciplinary proceeding; however, UWM may establish restrictions regarding the extent to which such person may participate in the proceedings that apply equally to both parties.
- The complainant and respondent will receive simultaneous notification of:
  - Whether the formal complaint is dismissed and their appeal rights concerning that decision.
  - The result of any institutional disciplinary proceeding that arises from an allegation of sexual misconduct.
  - UWM procedures for the complainant and respondent to appeal the result, if available.
  - Any change to the result through appeal.
  - When the result becomes final.
- Proceedings will be completed with reasonably prompt timeframes and will include a process that allows for extension of the frames for good cause with written notice to the complainant and respondent of the delay and reason for delay.
- The complainant and respondent will be provided timely notice of any meeting at which the respondent or complainant or both may be present.
- The complainant and respondent will be provided with a chance to review and comment on all evidence provided to investigators that is directly related to the investigation.
- Proceedings will be conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.
- Retaliation against either party for exercising their rights in good faith under these procedures is prohibited and may be subject to disciplinary action.
- At no time can either party be required to waive a legally recognized privilege, be prohibited from discussing the allegations under investigation, or be prohibited from gathering or presenting relevant evidence.

**UWS 17.09 Conduct subject to disciplinary action.** In accordance with s. [UWS 17.08](#), the university may discipline a student for engaging in, attempting to engage in, or assisting others to engage in any of the following types of nonacademic misconduct. Conduct defined in s. [UWS 17.09](#) shall use the disciplinary procedure, hearing, appeal, and settlement processes detailed in ss. [UWS 17.11](#) to [17.15](#). However, at the university's discretion, conduct defined in s. [UWS 17.09](#), when arising out of the same facts and circumstances as sexual misconduct defined in s. [UWS 17.151](#), may be consolidated with such charges and addressed with the disciplinary procedure, hearing, appeal, and settlement processes detailed in ss. [UWS 17.152](#) to [17.156](#).

- (1) **DANGEROUS CONDUCT.** Conduct that endangers or threatens the health or safety of oneself or another person.
- (4) **HARASSMENT.** Conduct defined in s. [947.013](#), Stats.
- (5) **HAZING.** Conduct defined in s. [948.51](#), Stats.
- (6) **ILLEGAL USE, POSSESSION, MANUFACTURE, OR DISTRIBUTION OF ALCOHOL OR CONTROLLED SUBSTANCES.** Use, possession, manufacture, or distribution of alcoholic beverages or of marijuana, narcotics, or other controlled substances, except as expressly permitted by law or university policy.
- (7) **UNAUTHORIZED USE OF OR DAMAGE TO PROPERTY.** Unauthorized possession of, use of, moving of, tampering with, damage to, or destruction of university property or the property of others.
- (8) **DISRUPTION OF UNIVERSITY-AUTHORIZED ACTIVITIES.** Conduct that obstructs or impairs university-run or university-authorized activities, or that interferes with or impedes the ability of a person to participate in university-run or university-authorized activities.
- (9) **FORGERY OR FALSIFICATION.** Unauthorized possession of or fraudulent creation, alteration, or misuse of any university or other governmental document, record, key, electronic device, or identification.
- (10) **MISUSE OF COMPUTING RESOURCES.** Conduct that involves any of the following:
  - (a) Failure to comply with laws, license agreements, and contracts governing university computer network, software, and hardware use.
  - (b) Use of university computing resources for unauthorized commercial purposes or personal gain.

UWS 17 provides, in relevant part:

- (c) Failure to protect a personal password or university-authorized account.
- (d) Breach of computer security, invasion of privacy, or unauthorized access to university computing resources.
- (11) **FALSE STATEMENT OR REFUSAL TO COMPLY REGARDING A UNIVERSITY MATTER.** Making a knowingly false oral or written statement to any university employee or agent of the university regarding a university matter, or refusal to comply with a reasonable request on a university matter.
- (12) **VIOLATION OF CRIMINAL LAW.** Conduct that constitutes a criminal offense as defined by state or federal law.
- (13) **SERIOUS AND REPEATED VIOLATIONS OF MUNICIPAL LAW.** Serious and repeated off-campus violations of municipal law.
- (14) **VIOLATION OF CH. UWS 18.** Conduct that violates ch. [UWS 18](#), including, but not limited to, provisions regulating fire safety, theft, and dangerous weapons.
- (15) **VIOLATION OF UNIVERSITY RULES.** Conduct that violates any published university rules, regulations, or policies, including provisions contained in university contracts with students.
- (16) **NONCOMPLIANCE WITH DISCIPLINARY SANCTIONS.** Conduct that violates a sanction, requirement, or restriction imposed in connection with previous disciplinary action.
- (20) **RETALIATION.** Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured in ss. [UWS 17.152](#) to [17.156](#), or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under ss. [UWS 17.152](#) to [17.156](#).

**History:** [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): cr. (17), (18), (19) [Register June 2016 No. 726](#), eff. 7-1-16; [CR 20-062](#): am. (intro.), r. (2), (3), (17) to (19), cr. (20) [Register May 2021 No. 785](#), eff. 6-1-21; **correction in (intro.) made under s. 35.17, Stats., [Register July 2021 No. 787](#).**

#### ***UWS 17.11 Disciplinary procedure.***

- (1) **PROCESS.** The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. [UWS 17.085 \(1\)](#) for conduct defined in s. [UWS 17.09](#).

- (2) **CONFERENCE WITH RESPONDENT.** When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly contact the respondent in person, by telephone, or by electronic mail to offer to discuss the matter, review the investigating officer's basis for believing that the respondent engaged in nonacademic misconduct, and to afford the respondent an opportunity to respond. If the respondent fails to respond to the investigating officer, the investigating officer may proceed to decide on the basis of the available information.
- (3) **DETERMINATION BY THE INVESTIGATING OFFICER THAT NO DISCIPLINARY SANCTION IS WARRANTED.** If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic misconduct did not in fact occur, or that no disciplinary sanction is warranted under the circumstances, the matter shall be considered resolved without the necessity for further action. The investigating officer shall notify the respondent.
- (4) **PROCESS FOLLOWING DETERMINATION BY THE INVESTIGATING OFFICER THAT NONACADEMIC MISCONDUCT OCCURRED.**
  - (a) If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic misconduct did occur and that one or more of the disciplinary sanctions listed under s. [UWS 17.085 \(1\)](#) should be recommended, the investigating officer shall prepare a written report which shall contain all of the following:
    1. A description of the alleged misconduct.
    2. A description of all information available to the university regarding the alleged misconduct.
    3. Specification of the sanction sought.
    4. Notice of the respondent's right to a hearing.
    5. A copy of this chapter and of the institutional procedures adopted to implement this section.
  - (b) The written report shall be delivered to the respondent.
  - (c) A respondent who receives a written report under this section has the right to a hearing under s. [UWS 17.12](#) to contest the determination that nonacademic misconduct occurred, the choice of disciplinary sanctions, or both.

1. Where the disciplinary sanction sought is one of those listed in s. [UWS 17.085 \(1\) \(a\) to \(g\)](#), and if the respondent desires a hearing, the respondent shall file a written request with the student affairs officer within 10 days of the date the written report is delivered to the respondent. If the respondent does not request a hearing within this period, the determination of nonacademic misconduct shall be regarded as final, and the disciplinary sanction sought shall be imposed.
2. Where the disciplinary sanction sought is one of those listed in s. [UWS 17.085 \(1\) \(h\) to \(j\)](#), the investigating officer shall forward a copy of the written report under par. (b) to the student affairs officer. The student affairs officer shall, upon receipt of the written report, proceed under s. [UWS 17.12](#) to schedule a hearing on the matter. A hearing shall be conducted unless the respondent waives, in writing, the right to such a hearing.
- (3) No less than 5 days in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide the respondent with access to or copies of the investigating officer's explanation, together with any other materials provided to the hearing examiner or committee by the investigating officer, including any additional available information of the type described in s. [UWS 17.11 \(4\) \(a\) 2.](#)
- (4) The hearing shall be conducted in accordance with the following guidance and requirements:
  - (a) The hearing process shall further the educational purposes and reflect the university context of nonacademic misconduct proceedings. The process need not conform to state or federal rules of criminal or civil procedure, except as expressly provided in ch. [UWS 17](#).
  - (b) The respondent shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on the respondent's own behalf, and the right to be accompanied by an advisor of the respondent's choice. The advisor may be a lawyer. In cases where the recommended disciplinary sanction is identified in s. [UWS 17.085 \(1\) \(a\) to \(h\)](#), the advisor may counsel the respondent but may not directly question adverse witnesses, present information or witnesses, or speak on behalf of the respondent except at the discretion of the hearing examiner or committee. In cases where the recommended disciplinary sanction is identified in s. [UWS 17.085 \(1\) \(i\) or \(j\)](#), or where the respondent has been charged with a crime in connection with the same conduct for which the disciplinary sanction is sought, the advisor may question adverse witnesses, present information and witnesses, and speak on behalf of the respondent. In accordance with the educational purposes of the hearing, the respondent is expected to respond on the respondent's own behalf to questions asked of the respondent during the hearing.
  - (c) The hearing examiner or committee:
    1. Shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or unduly repetitious testimony.
    2. Shall observe recognized legal privileges.

**History:** CR 08-099: cr. [Register August 2009 No. 644](#), eff. 9-1-09; correction to (1) (title) made under s. [13.92 \(4\) \(b\) 2.](#), Stats., [Register August 2009 No. 644](#); CR 15-060: am. (2), (3), (4) (a) 2., 4., (b), (c) [Register June 2016 No. 726](#), eff. 7-1-16; CR 20-062: am. (1) to (3), (4) (a) (intro.), 2., (b), (c) 1., 2. [Register May 2021 No. 785](#), eff. 6-1-21.

#### ***UWS 17.12 Hearing.***

- (1) A respondent who requests a hearing, or for whom a hearing is scheduled under s. [UWS 17.11 \(4\) \(c\) 2.](#), for conduct defined in s. [UWS 17.09](#), shall have the right to decide whether the matter shall be heard by a hearing examiner or a hearing committee.
- (2) If a respondent requests a hearing under s. [UWS 17.11 \(4\) \(c\) 1.](#), or a hearing is required to be scheduled under s. [UWS 17.11 \(4\) \(c\) 2.](#), the student affairs officer shall take the necessary steps to convene the hearing and shall schedule it within 15 days of receipt of the request or written report. The hearing shall be conducted within 45 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the respondent and investigating officer, or is ordered or permitted by the hearing examiner or committee.

3. May take reasonable steps to maintain order, and to adopt procedures for the questioning of a witness appropriate to the circumstances of that witness's testimony, provided, however, whatever procedure is adopted, the respondent is allowed to effectively question the witness.
- (d) The hearing examiner or committee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of the exhibits offered at the hearing. The respondent may access the record, except as may be precluded by applicable state or federal law.
- (e) The hearing examiner or committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.
- (f) A hearing examiner's or committee's finding of nonacademic misconduct shall be based on one of the following:
  1. Clear and convincing evidence, when the sanction to be imposed is one of those listed in s. [UWS 17.085 \(1\) \(h\)](#) to [\(j\)](#).
  2. A preponderance of the evidence, when the sanction to be imposed is one of those listed in s. [UWS 17.085 \(1\) \(a\)](#) to [\(g\)](#).
- (g) The hearing examiner or committee may impose one or more of the disciplinary sanctions listed in s. [UWS 17.085 \(1\) \(a\)](#) to [\(g\)](#) that differs from the recommendation of the investigating officer. Sanctions under s. [UWS 17.085 \(1\) \(h\)](#) to [\(j\)](#) may not be imposed unless previously recommended by the investigating officer.
- (h) The hearing shall be conducted by the hearing examiner or committee, and the university's case against the respondent shall be presented by the investigating officer or the investigating officer's designee.
- (i) The decision of the hearing examiner or committee shall be prepared within 14 days of the hearing, and delivered to the respondent, excluding information that may be precluded by state or federal law. The decision shall become final within 14 days of the date on the written decision unless an appeal is taken under s. [UWS 17.13](#).
- (j) If the respondent fails to appear at a schedule hearing and to proceed, the hearing examiner or

committee may issue a decision based upon the information provided.

- (k) Disciplinary hearings are subject to s. [19.85](#), Stats., Wisconsin Open Meetings of Governmental Bodies, and may be closed if the respondent requests a closed hearing or if the hearing examiner or committee determines it is necessary to hold a closed hearing. Deliberations of the committee shall be held in closed session, in accordance with s. [19.85](#), Stats. As such, proper notice and other applicable rules shall be followed.

**History:** [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. (1), (2), (3), (4) (b), (c) 3., (d), (f) 3., (h), (i), (j), (k) [Register June 2016 No. 726](#), eff. 7-1-16; [CR 20-062](#): am. (1), (3), (4) (b), (c) 3., (d), (f) 1., 2., r. (4) (f) 3., am. (4) (g) to (k) [Register May 2021 No. 785](#), eff. 6-1-21; correction in (k) made under s. [35.17](#), Stats., [Register May 2021 No. 785](#).

#### ***UWS 17.13 Appeal to the chancellor.***

- (1) For conduct defined in s. [UWS 17.09](#), where the sanction prescribed by the hearing examiner or committee is one of those listed in s. [UWS 17.085 \(1\) \(h\)](#) to [\(j\)](#), the respondent may appeal in writing to the chief administrative officer within 14 days of the date of the written decision to review the decision of the hearing examiner or committee, based upon the record.
- (3) The chief administrative officer has 30 days from receipt of an appeal to respond and shall sustain the decision unless the chief administrative officer finds any of the following:
  - (a) The information in the record does not support the findings or decision.
  - (b) Appropriate procedures were not followed which resulted in material prejudice to the respondent.
  - (c) The decision was based on factors proscribed by state or federal law.
- (4) If the chief administrative officer makes a finding under sub. (3), the chief administrative officer may return the matter for consideration, or may invoke an appropriate remedy of the chief administrative officer's own. The chief administrative officer's decision shall be communicated to the respondent.

**History:** [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): renum. (1) (intro.) to (1) and am., r. (1) (a), (b), (c), r. and recr. (2), cr. (3), (4) [Register June 2016 No. 726](#), eff. 7-1-16; correction in (2) (a), (b) under ss. [13.92 \(4\) \(b\) 7](#), and [35.17](#),



Stats., [Register June 2016 No. 726](#); [CR 20-062](#): am. (1), r. (2), am. (3) (b), (4) [Register May 2021 No. 785](#), eff. 6-1-21.

**UWS 17.14 Discretionary appeal to the Board of Regents.** For conduct defined in s. [UWS 17.09](#), institutional decisions under ss. [UWS 17.11](#) to [17.13](#) shall be final, except that the board of regents may, at its discretion, grant a review upon the record, upon written request submitted by the respondent within 14 days of the final institutional decision.

**History:** [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [2015 Wis. Act 330 s. 20](#): am. [Register April 2016 No. 724](#), eff. 5-1-16; [CR 15-060](#): am. [Register June 2016 No. 726](#), eff. 7-1-16; [CR 20-062](#): am. [Register May 2021 No. 785](#), eff. 6-1-21.

**UWS 17.15 Settlement.** For conduct defined in s. [UWS 17.09](#), the procedures set forth in this chapter allow the university and a respondent to enter into a settlement agreement regarding the alleged misconduct, after proper notice has been given. Any such agreement and its terms shall be in writing and signed by the respondent and the investigating officer or student affairs officer. The case is concluded when a copy of the signed agreement is delivered to the respondent.

**History:** [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. [Register June 2016 No. 726](#), eff. 7-1-16; [CR 20-062](#): am. [Register May 2021 No. 785](#), eff. 6-1-21.

### Subchapter III — Procedures for Student Nonacademic Discipline in Sexual Misconduct Cases

**UWS 17.151 Sexual misconduct subject to disciplinary action under ss. UWS 17.152 to 17.156.** In accordance with s. [UWS 17.08](#), the university may discipline a student for engaging in, attempting to engage in, or assisting others to engage in any of the following types of nonacademic misconduct. Sexual misconduct, as defined in this section, shall use the disciplinary procedure, hearing, appeal, and settlement processes detailed in ss. [UWS 17.152](#) to [17.156](#).

- (1) **SEXUAL HARASSMENT.** Conduct on the basis of sex that satisfies any of the following:
- (a) Unwelcome conduct of a sexual nature directed towards a student, an employee, or a person participating in an education program or activity of the university that when using the legal “reasonable person” standard, is so severe, pervasive, and

objectively offensive that it effectively denies the person equal access to the institution's education program or activity.

- (b) Unwelcome conduct of a sexual nature directed towards an individual that, when using the legal “reasonable person” standard, is so severe or pervasive and objectively offensive that it has the purpose or effect of unreasonably interfering with an individual's academic or work performance or participation in a university sponsored or supported activity.
- (2) **SEXUAL ASSAULT.** An offense that meets any of the following definitions:
- (a) : 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 complainant.
- (b) Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of age or because of temporary or permanent mental incapacity.
- (c) Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law as per s. [944.06](#), Stats.
- (d) Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent as per s. [948.02](#), Stats.
- (3) **DATING VIOLENCE.** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- (4) **DOMESTIC VIOLENCE.** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a persons who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Wisconsin, or by any other person against an adult or youth individual who is protected from that person's acts under the domestic

or family violence laws of Wisconsin as per ss. [813.12 \(1\) \(am\)](#) and [968.075](#), Stats.

- (5) **STALKING.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.
- (6) **SEXUAL EXPLOITATION.** Attempting, taking or threatening to take nonconsensual sexual advantage of another person. Examples include:
  - (a) Engaging in any of the following conduct without the knowledge and consent of all participants:
    - 1. Observing, recording, or photographing private body parts or sexual activity of one or more complainants.
    - 2. Allowing another person to observe, record, or photograph sexual activity or private body parts of one or more complainants.
    - 3. Otherwise distributing recordings, photographs, or other images of the same of one or more complainants.
  - (b) Masturbating, touching one's genitals, or exposing one's genitals in complainant's presence without the consent of complainant, or inducing another person to do the same.
  - (c) Dishonesty or deception regarding the use of contraceptives or condoms during the course of sexual activity.
  - (d) Inducing incapacitation through deception for the purpose of making another person vulnerable to non-consensual sexual activity.
  - (e) Coercing the complainant to engage in sexual activity for money or anything of value.
  - (f) Threatening distribution of any of the following, to coerce the complainant into sexual activity or providing money or anything of value:
    - 1. Photos, videos, or recordings depicting private body parts or sexual activity of one or more persons.
    - 2. Other information of a sexual nature, including sexual history or sexual orientation.

**History:** [CR 20-062](#); cr. [Register May 2021 No. 785](#), eff. 6-1-21; correction in (title) made under s. [13.92 \(4\) \(b\) 2.](#), Stats., and correction in (intro.) made under s. [13.92 \(4\) \(b\) 7.](#), Stats., [Register May 2021 No. 785](#).

***UWS 17.152 Sexual misconduct disciplinary procedure.***

- (1) **PROCESS.** The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. [UWS 17.085 \(1\)](#), for sexual misconduct defined in s. [UWS 17.151](#), and conduct described in s. [UWS 17.09](#) may be consolidated with sexual misconduct charges pursuant to this section and consistent with s. [UWS 17.08](#). When responding to sexual misconduct, the university may take the following actions:
  - (a) The university may consolidate disciplinary procedures as to allegations of sexual misconduct, as defined in s. [UWS 17.151](#), against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual misconduct arise out of the same facts or circumstances.
  - (b) In consultation with the complainant, the university may choose to address allegations of sexual misconduct with non-disciplinary measures outside the procedures of this chapter. Non-disciplinary measures may include supportive measures and protective measures for complainant, which may or may not involve the respondent.
- (2) **TITLE IX MISCONDUCT.** Either a complainant or the Title IX Coordinator may file the formal Title IX complaint as defined in s. [UWS 17.02 \(8m\)](#). Unless a formal Title IX complaint is dismissed under par. (a) or (b), sexual misconduct under this section shall also be considered "Title IX misconduct" and require associated process. Dismissals will be handled as follows:
  - (a) The university shall dismiss a formal Title IX complaint that does not meet all of the following requirements:
    - 1. The alleged conduct is on the basis of sex and meets the definitions of sexual harassment, as defined in s. [UWS 17.151 \(1\) \(a\)](#), or sexual assault, dating violence, domestic violence, or stalking, as defined in s. [UWS 17.151 \(2\) to \(5\)](#).
    - 2. The alleged conduct occurred within a university "education program or activity," as defined in s. [UWS 17.02 \(7m\)](#).
    - 3. The alleged conduct occurred against the complainant while in the United States.
    - 4. The complainant is participating in or attempting to participate in the university's education program or activity at the time the complaint is filed.

- (b) The university may dismiss a formal Title IX complaint if any of the following conditions are met at any time during the disciplinary procedure or hearing:
  - 1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal Title IX complaint or any allegations therein.
  - 2. The respondent is no longer enrolled in the university.
  - 3. Specific circumstances prevent the university from gathering evidence sufficient to reach a determination as to the formal Title IX complaint or allegations therein.
- (c) Upon dismissal of a formal Title IX complaint, the university shall promptly send written notice of the dismissal and reason therefore simultaneously to the complainant and respondent. The complainant and respondent have the right to appeal the dismissal of a formal Title IX complaint under s. [UWS 17.154 \(1\)](#).
- (d) Dismissal of a formal Title IX complaint does not preclude other university action under this chapter.
- (3) NOTICE OF INVESTIGATION. When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly distribute a written notice of investigation in person, by telephone or by electronic mail, to the complainant and respondent. The notice of investigation shall include all of the following:
  - (a) The details known at the time of issuing notice, including:
    - 1. The identities of the complainant and respondent involved in the incident, if known.
    - 2. The conduct allegedly constituting sexual misconduct.
    - 3. The date and location of alleged incident, if known.
  - (b) Notice to the complainant and respondent that they may have an advisor of their choice, who may be an attorney.
  - (c) Notice to the complainant and respondent that they may inspect and review evidence collected during the investigation.
  - (d) Notice that making a knowingly false statement or refusing to comply regarding a university matter may violate s. [UWS 17.09 \(11\)](#) and could result in additional sanctions.
  - (e) Notice that the respondent is presumed not responsible for the alleged sexual misconduct until a determination regarding responsibility is made at the conclusion of the disciplinary procedure.
  - (f) Notice if the sexual misconduct disciplinary procedure also involves Title IX misconduct.
  - (g) Information about the nonacademic misconduct process available under this chapter and about any available informal resolution process.
  - (h) If, during the course of an investigation, the university decides to investigate allegations that are not included in the notice of investigation, the university shall send an amended notice of investigation with additional allegations.
- (4) INVESTIGATION. During the investigation, the investigating officer shall do all of the following:
  - (a) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
  - (b) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
  - (c) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; the university may, however, establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
  - (d) Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
  - (e) Not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains that party's voluntary, written consent to do so for a grievance process under this section.

- (5) **REVIEW OF EVIDENCE.** Prior to completion of the final investigative report, as described in sub. (6), the university shall provide the complainant and respondent and their advisors, if any:
- (a) The evidence gathered during the university's investigation that is directly related to the allegations of sexual misconduct, in an electronic format or hard copy, regardless of whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. This shall include information upon which the university does not intend to rely in reaching a determination regarding responsibility as well as any inculpatory or exculpatory evidence.
  - (b) At least 10 days to submit a written response to the evidence, which the investigator shall consider prior to completion of the final investigative report.
- (6) **FINAL INVESTIGATIVE REPORT.** The investigator shall create an investigative report that fairly summarizes relevant evidence. The final investigative report may contain recommended determinations as to whether sexual misconduct occurred and specification of any sanction recommended. The final investigative report shall be delivered simultaneously to the respondent and complainant and their advisors, if any, for their review and response at least 10 days prior to a hearing. Upon distribution of the final investigative report to the complainant and respondent, the following conditions shall apply:
- (a) The complainant and respondent have the right to a hearing under s. [UWS 17.153](#) for a formal determination as to whether sexual misconduct occurred, potential disciplinary sanctions, or both.
  - (b) The university shall proceed under s. [UWS 17.153](#) to schedule a hearing on the matter. A hearing shall be conducted unless the complainant and respondent waive, in writing, the right to such a hearing or otherwise voluntarily choose to proceed with a settlement agreement or informal resolution under s. [UWS 17.156](#).

**History:** [CR 20-062](#); cr. [Register May 2021 No. 785](#), eff. 6-1-21; correction in (2) (intro.) made under s. [35.17](#), Stats., and correction in (1) (intro.), (2) (c), (6) (a), (b) made under s. [13.92](#), [\(4\) \(b\) 7.](#), Stats., [Register](#)

[May 2021 No. 785](#); correction in (2) (a) 1. made under s. [35.17](#), Stats., [Register July 2021 No. 787](#).

***UWS 17.153 Sexual misconduct hearing.***

- (1) The university shall have the right to decide whether a hearing examiner or hearing committee shall hear the matter.
- (2) The university shall take the necessary steps to convene the hearing and shall schedule it within 15 days of the distribution of the final investigative report. The hearing shall be conducted within 45 days of the distribution of the final investigative report, unless a different time period is mutually agreed upon by the complainant, respondent and university or is ordered or permitted by the hearing examiner or committee.
- (3) No less than 10 days in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, the final investigative report and any additional available information of the type described in s. [UWS 17.152 \(4\)](#).
- (4) The hearing shall be conducted in accordance with all of the following guidance and requirements:
  - (a) The hearing process shall further the educational purposes and reflect the university context of nonacademic misconduct proceedings. The process need not conform to state or federal rules of criminal or civil procedure, except as expressly provided in this chapter.
  - (b) Both the complainant and respondent shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on their own behalf, and the right to be accompanied by an advisor of their choice. The advisor may be a lawyer. In accordance with the educational purposes of the hearing, the complainant and respondent are expected to respond on their own behalf to questions asked of them during the hearing.
  - (c) The hearing examiner or committee:
    - 1. Shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or unduly repetitious testimony.
    - 2. May not permit questions and evidence about the complainant's sexual predisposition or prior sexual behavior unless:
      - a. Such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the



- respondent committed the conduct alleged by the complainant, or
- b.** The questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
  - 3.** Shall observe recognized legal privileges including those described in s. [UWS 17.152 \(4\) \(e\)](#).
  - 4.** May take reasonable steps to maintain order and adopt procedures for the questioning of parties or witnesses appropriate to the circumstances of the testimony, provided the advisors for the complainant and respondent are allowed to effectively cross-examine any party or witness.
- (5)** The party's advisors shall conduct cross examination directly, orally, and in real time by the party's advisor. A party may not personally conduct cross examination. The following conditions shall apply:
    - (a)** If a party does not have an advisor at the hearing to conduct cross-examination, the university shall provide someone, without fee or charge, who may or may not be an attorney, to conduct cross-examination.
    - (b)** Before a party or witness answers a cross-examination or other question, the hearing examiner or committee shall first determine whether a question is relevant or not and explain any decision to exclude those questions as not relevant.
    - (c)** The hearing examiner or committee may not draw an inference regarding responsibility based solely on a party's or a witness's absence from the hearing or refusal to answer cross-examination questions.
    - (d)** At hearings involving Title IX misconduct, if a party or a witness does not submit to cross-examination at the hearing, then the hearing examiner or committee may not rely on any statement of that party or witness made prior to or during the hearing in reaching a determination regarding responsibility.
  - (6)** If a party fails to appear at a scheduled hearing and to proceed, the hearing examiner or committee may issue a decision based upon the information provided except as described in sub. [\(5\) \(d\)](#).
  - (7)** The hearing examiner or committee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of all evidence presented at the hearing. The respondent and the complainant may access the record, except as may be precluded by applicable state or federal law.
  - (8)** The hearing examiner or committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing, using the preponderance of the evidence standard. The written report shall include all of the following:
    - (a)** Identification of the allegations potentially constituting sexual misconduct.
    - (b)** A description of the procedural steps taken from the receipt of the initial complaint through the determination, including any notifications to the complainant and respondent, interviews with the complainant and respondent and witnesses, site visits, methods used to gather other evidence, and hearings held.
    - (c)** Findings of fact supporting the determination.
    - (d)** Conclusions regarding the application of this chapter to the facts.
    - (e)** A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility under this subchapter, including any Title IX misconduct, any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the university's education program or activity shall be provided by the university to the complainant.
    - (f)** One or more of the disciplinary sanctions listed in s. [UWS 17.085 \(1\)](#), if imposed by the hearing examiner or committee.
    - (g)** Procedures and permissible bases for the complainant and respondent to appeal.
  - (9)** The decision of the hearing examiner or committee shall be prepared within 14 days of the hearing, and delivered simultaneously to the respondent and the complainant, excluding information that may be precluded by state or federal law. If an appeal is filed, the decision regarding responsibility becomes final on the date the university provides the complainant and respondent with the written determination of the result of the appeal. If no appeal is filed, the decision regarding responsibility becomes final once the last date to appeal passes.
  - (10)** Disciplinary hearings are subject to s. [19.85](#), Stats., Wisconsin Open Meetings of Governmental Bodies, and may be closed if the respondent or complainant requests a closed hearing or if the hearing examiner or committee determines it is necessary to hold a closed hearing. Deliberations of the committee shall be held in closed session, in

accordance with s. [19.85](#), Stats. As such, proper notice and other applicable rules shall be followed.

**History:** [CR 20-062](#); cr. [Register May 2021 No. 785](#), eff. 6-1-21; correction in (4) (a) made under s. [35.17](#), Stats., [Register May 2021 No. 785](#).

***UWS 17.154 Appeal to the chancellor for sexual misconduct.***

- (1) The respondent or complainant may appeal in writing to the chief administrative officer within 14 days of the date of the written decision for a review, based on the record, of the following:
  - (a) A dismissal of a formal Title IX complaint.
  - (b) The written decision of the hearing examiner or committee.
- (2) The chief administrative officer has 30 days from receipt of an appeal to respond in writing simultaneously to both the complainant and respondent and shall sustain the decision unless the chief administrative officer finds any of the following:
  - (a) The information in the record does not support the findings or decision.
  - (b) A procedural irregularity affected the outcome of the matter.
  - (c) The decision was based on factors proscribed by state or federal law.
  - (d) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter.
  - (e) The Title IX Coordinator, investigator, hearing examiner, or a member of the hearing committee had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- (3) If the chief administrative officer makes a finding under sub. (2), the chief administrative officer may return the matter for consideration, or may invoke an appropriate remedy of their own. The chief administrative officer's written decision describing the result of the appeal and the rationale for the result shall be communicated simultaneously to the respondent and complainant.
- (4) When an appeal is filed, the chief administrative officer shall notify the other party in writing and give both the complainant and respondent a reasonable, equal opportunity to submit a written statement supporting or challenging the outcome.

**History:** [CR 20-062](#); cr. [Register May 2021 No. 785](#), eff. 6-1-21.

***UWS 17.155 Discretionary appeal to the Board of Regents for sexual misconduct.*** University decisions under ss. [UWS 17.152](#) to [17.154](#) shall be final, except that the board of regents may, at its discretion, grant a review upon the record, upon written request submitted by any party within 14 days of the final university decision. If the board of regents grants a review upon the record, it shall:

- (1) Notify the other party in writing and give both the complainant and respondent a reasonable, equal opportunity to submit a written statement supporting or challenging the outcome.
- (2) Issue a written decision describing the result of the appeal and the rationale for the result and provide the written decision simultaneously to both the complainant and respondent.

**History:** [CR 20-062](#); cr. [Register May 2021 No. 785](#), eff. 6-1-21; correction in (intro.) made under s. [13.92 \(4\) \(b\) 7.](#), Stats., [Register May 2021 No. 785](#).

***UWS 17.156 Settlement for sexual misconduct.***

- (1) The procedures set forth in this chapter allow the university, the respondent, and the complainant to voluntarily enter into a settlement agreement or informal resolution regarding the alleged misconduct, any time after the notice of investigation has been distributed to the complainant and respondent and prior to any final determination regarding responsibility. Any such agreement and its terms shall be in writing and signed by the complainant, respondent, and the Title IX Coordinator or designee except in any of the following circumstances:
  - (a) There is no identified complainant.
  - (b) The complainant has chosen not to participate in proceedings pursuant to this subchapter.
  - (c) Title IX misconduct is involved, and the complainant has withdrawn the formal Title IX complaint.
- (2) In the circumstances described in sub. (1), the agreement and its terms may be signed by only the respondent and the Title IX Coordinator or designee. The case is concluded when a copy of the signed agreement is delivered to the complainant, if any, and respondent. At any time prior to agreeing to a resolution, either party has the right to withdraw from the settlement process and resume the process under ss. [UWS 17.152](#) to [17.155](#).

**History:** [CR 20-062](#): cr. [Register May 2021 No. 785](#), eff. 6-1-21.

#### **Subchapter IV — Effect of Discipline, Petitions for Restoration, and Emergency Suspension**

**UWS 17.16** *Effect of discipline within the institution.* A respondent who, at the time of commencement, is subject to a continuing disciplinary sanction under s. [UWS 17.085 \(1\)](#) or unresolved disciplinary charges as a result of a report under s. [UWS 17.11](#) or [17.152](#), shall not be awarded a degree during the pendency of the sanction or disciplinary proceeding.

**History:** [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. [Register June 2016 No. 726](#), eff. 7-1-16; [CR 20-062](#): am. [Register May 2021 No. 785](#), eff. 6-1-21.

**UWS 17.17** *Effect of suspension or expulsion within the university system.*

- (1) Suspension or expulsion shall be systemwide in effect and shall be noted on an individual's transcript, with suspension noted only for the duration of the suspension period.
- (2) An individual who is suspended from one institution in the University of Wisconsin System may not enroll in another institution in the system until the suspension has expired by its own terms, except as provided in s. [UWS 17.18](#).
- (3) An individual who is expelled from one institution in the University of Wisconsin System may not enroll in another institution in the system, except as provided in s. [UWS 17.18](#).
- (4) An individual who is in a state of suspension or expulsion from the university under this chapter, or who leaves or withdraws from the university while under nonacademic misconduct charges under this chapter, may not be present on any campus without the written consent of the chief administrative officer of that campus.
- (5) Upon completion of a suspension period, an individual who is academically eligible may re-enroll in the institution which suspended the individual, provided all conditions from previous disciplinary sanctions have been met.

**History:** [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. (2), (3), (4), (5) [Register June 2016 No. 726](#), eff. 7-1-16; [CR 20-062](#): am. (5) [Register May 2021 No. 785](#), eff. 6-1-21.

**UWS 17.18** *Petition for restoration of rights after suspension or expulsion.* A respondent who has been suspended may petition to have their student status, rights, and privileges restored before the suspension has expired by its own terms under s. [UWS 17.17 \(2\)](#). A respondent who has been expelled may petition for the right to apply for readmission. The petition shall be in writing and directed to the chief administrative officer of the institution from which the respondent was suspended or expelled from a different University of Wisconsin institution to which the respondent seeks admission. The chief administrative officer shall make the readmission decision. In cases of sexual misconduct, the readmission decision shall be made in consultation with the Title IX Coordinator and reasonable attempts shall be made to notify the complainant of any change to the disciplinary outcome. If enrolled as a student at the time of the petition, the complainant shall be provided opportunity to respond to the petition prior to the readmission decision.

**History:** [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. [Register June 2016 No. 726](#), eff. 7-1-16; [CR 20-062](#): am. [Register May 2021 No. 785](#), eff. 6-1-21.

**UWS 17.19** *Emergency suspension.*

- (1) The chief administrative officer may impose an emergency suspension on a respondent, pending final institutional action on a report of nonacademic misconduct, in accordance with the procedures of this section.
- (2) The chief administrative officer of each institution may impose an emergency suspension on a respondent when all of the following conditions are met:
  - (a) The investigating officer has made a reasonable attempt to offer the respondent the opportunity for discussion, either in person or by telephone.
  - (b) The investigating officer recommends a sanction of suspension or expulsion.
  - (c) The chief administrative officer concludes, based on the available information, that the misconduct occurred and that the respondent's continued presence on campus meets one or more of the following conditions:
    1. Would constitute a potential for serious harm to the respondent.
    2. Would constitute a potential for serious harm to others.
    3. Would pose a threat of serious disruption of university-run or university-authorized activities.

4. Would constitute a potential for serious damage to university facilities or property.
- (d) In cases of sexual misconduct as defined in s. [UWS 17.151](#), the chief administrative officer makes reasonable attempts to consult with the complainant and offer protective measures.
- (3) If the chief administrative officer determines that an emergency suspension is warranted under sub. (2), the chief administrative officer shall promptly have written notification of the emergency suspension delivered to the respondent. In cases of sexual misconduct, as defined in s. [UWS 17.151](#), the written notification of the emergency suspension shall be delivered simultaneously to the complainant and the respondent. The chief administrative officer's decision to impose an emergency suspension shall be effective immediately when delivered to the respondent and is final.
- (4) Where an emergency suspension is imposed, the hearing on the underlying allegations of misconduct shall be held, either on or outside of university lands, within 21 days of the imposition of the emergency suspension, unless the respondent agrees to a later date.
- (5) An emergency suspension imposed in accordance with this section shall be in effect until the decision in the hearing on the underlying charges pursuant to s. [UWS 17.12](#) or [17.153](#) is rendered or the chief administrative officer rescinds the emergency suspension. In no case shall an emergency suspension remain in effect for longer than 30 days, unless the respondent agrees to a longer period.
- (6) If the chief administrative officer determines that none of the conditions specified in sub. (2)(c) are present, but that misconduct may have occurred, the case shall proceed in accordance with s. [UWS 17.12](#) or [17.153](#), as applicable.

UWM has three major categories of employees: faculty, academic staff, and university staff. Each of these categories of employees has distinct procedures for discipline and dismissal, which are provided below. In addition, UWM has various types of at-will employees, including limited appointees, teaching assistants, project assistants, postdoctoral trainees, other employees-in-training, and student employees. All employees may be subject to one or more of the following disciplinary

responses to sexual misconduct: written reprimand, unpaid suspension, dismissal, demotion, revocation of responsibilities, reassignment, and retraining.

Employee discipline is addressed through different processes depending upon whether the conduct allegedly violates Title IX. Sexual misconduct may still constitute misconduct under UWM's policies and procedures even if it does not constitute a violation of Title IX, as defined by regulations issued by the U.S. Department of Education in May 2020, which apply to conduct that occurs on or after August 14, 2020. Sexual misconduct that occurred prior to August 14, 2020, is addressed by the policies and procedures that currently apply to non-Title IX misconduct.<sup>42</sup>

The following processes are described below:

- Employee Investigation, Dismissal and Discipline for Title IX Misconduct
- Employee Investigation of Non-Title IX Sexual Misconduct
- Employee Discipline for Non-Title IX Sexual Misconduct
  - Faculty Dismissal for Non-Title IX Sexual Misconduct
  - Faculty Discipline for Non-Title IX Sexual Misconduct
  - Indefinite Academic Staff Dismissal for Non-Title IX Sexual Misconduct
  - Probationary or Fixed-Term Academic Staff Dismissal for Sexual Non-Title IX Misconduct
  - Academic Staff Discipline for Non-Title IX Sexual Misconduct
  - University Staff Dismissal and Discipline for Non-Title IX Sexual Misconduct
  - At Will Employee Dismissal and

## Employee Disciplinary Procedures

Discipline for Non-Title IX Sexual Misconduct

<sup>42</sup> For rules and processes that were in effect before August 14, 2020, please review pp. 25-51 of the 2019 ASR: [uwm.edu/deanofstudents/wp-content/uploads/sites/263/2019/10/2019\\_UWM\\_Safety\\_Report-1.pdf](http://uwm.edu/deanofstudents/wp-content/uploads/sites/263/2019/10/2019_UWM_Safety_Report-1.pdf).

For rules and processes that were in effect between August 14, 2020 and May 10, 2021, please review pp. 32-49 of the 2020 ASR: [https://uwm.edu/wp-content/uploads/2020/11/2020\\_UWM\\_Safety\\_Report.pdf](https://uwm.edu/wp-content/uploads/2020/11/2020_UWM_Safety_Report.pdf)



## **Employee Investigation, Dismissal and Discipline for Title IX Misconduct**

The processes to discipline, up to and including dismissal, UWM employees for Title IX misconduct are substantially similar and are set forth in Chapter UWS 4 (for Faculty), Chapter UWS 11 (for Academic Staff), and UWM Policy on Investigation and Resolution of Formal Title IX Complaints (SAAP 5-4) (for all other employees). Those policies provide the following:

Title IX-specific disciplinary procedures will be used to address allegations of sexual misconduct against UWM employees when all the following requirements are met:

- (1) There is a formal complaint alleging Title IX misconduct on the basis of sex.
- (2) The conduct occurred in the United States.
- (3) The conduct occurred within a university education program or activity.
- (4) The complainant must be participating in or attempting to participate in the education program or activity of the university at the time of filing the complaint.
- (5) The complainant or Title IX coordinator have submitted a formal complaint.

The university must dismiss a formal Title IX complaint consisting of allegations that:

- (a) Would not constitute Title IX misconduct if proved;
- (b) Did not occur in a university program or activity; or
- (c) Did not involve actions against someone physically located in the United States.

The university may dismiss a formal complaint when:

- (a) The complainant formally requests in writing to withdraw the formal complaint;
- (b) The employee is no longer employed by the university; or
- (c) Specific circumstances prevent the university from gathering evidence sufficient to reach a determination on the allegations contained in the formal complaint.

In all processes related to formal Title IX complaints, the employee is presumed to be not responsible for the alleged Title IX misconduct until a final decision regarding responsibility is made at the conclusion of the disciplinary process. The university may dismiss or discipline an employee for Title IX misconduct only after due notice and hearing. The burden of proof is on

the university administration.

## **Investigation**

### *Notice*

At the outset of an investigation into a formal Title IX complaint, both parties shall be provided notice of the investigation, which will include information about the grievance process, including informal resolution options; the specific Title IX misconduct alleged, including the identity of the complainant as well as the date and location of the incident(s), if available; a statement affirming the respondent is presumed not responsible for the alleged violation; and statements about the rights of the complainant and the respondent, including have the right to an advisor of their choice; the right to inspect and review the evidence; and information about any code of conduct rules which prohibit the complainant and respondent from knowingly making false statements or submitting false information during the disciplinary process.

The parties to the complaint shall have: an equal opportunity to provide witnesses (including fact and expert witnesses) who may be interviewed by the investigator, and other inculpatory and exculpatory evidence; an equal opportunity to inspect and review any evidence gathered during the investigation. Prior to completion of the final investigative report, the parties will be afforded an opportunity to for inspection and review evidence to provide a response to that evidence prior to the completion of the final report.

Investigator shall, generally, complete the investigation and issue a final investigative report within ninety (90) days, however, the investigator may extend the investigation's time frame where circumstances warrant.

## **Final Investigative Report**

The investigator shall create an investigative report that fairly summarizes relevant evidence and simultaneously send the report to the complainant and the respondent (and their advisors, if any) for their review and response at least ten (10) days prior to the hearing.

The university shall, upon receipt of the final investigative report, proceed to schedule a live hearing before a hearing examiner or hearing committee. A hearing shall be conducted unless both the complainant and respondent waive, in writing, the right to such a hearing.

### *Hearing*

After the completion of the final investigative report regarding the formal Title IX complaint, the matter shall proceed to a hearing before a hearing examiner designated by the chancellor, and/or before a standing committee ("hearing committee") charged with hearing faculty dismissal and discipline cases.

The parties shall be served with a written notice of the hearing at least 10 days before the hearing is held. The parties shall be granted access to the names of witnesses and an opportunity to review documentary and other relevant evidence prior to the hearing. All parties to the formal complaint shall have the right to be heard on their own behalf; the right to an advisor; a right to confront and conduct relevant cross-examination of adverse witnesses through that advisor (neither party shall be permitted to personally conduct cross examination), and if any party does not have an advisor, the university shall provide, without charge, an advisor of the university's choice to conduct cross-examination on behalf of that party.

If any party or a witness does not submit to cross-examination at the hearing, the hearing committee or the hearing examiner must not rely on their statements in reaching its findings and recommendations. The hearing committee or hearing examiner also shall not draw a negative inference based solely on the absence of a party or witness from the hearing or refusal to answer cross-examination or other questions.

All parties are entitled to inspect and review a verbatim record of the hearing and are entitled to detailed written findings of fact based on the hearing record within 30 days after the conclusion of the hearing, or otherwise as soon as practicable. Within 20 days of receiving this material, the chancellor shall review those materials and afford the faculty member and the complainant an opportunity to discuss them. The chancellor's decision shall be based on the record created before the hearing committee or the hearing examiner.

The chancellor shall prepare a written decision within 20 days after completing the meetings with the faculty member and the complainant, unless the chancellor's proposed decision differs substantially from the recommendations of the hearing committee or hearing examiner. The chancellor's decision and the findings and recommendations shall be forwarded through the president of the system to the Board of Regents for its review.

The Board of Regents reviews the record from the hearing and provides an opportunity for filing exceptions to the chancellor's decision and for oral arguments unless both parties waive in writing these rights. Within 60 days of receipt of the chancellor's decision, or otherwise as soon as practicable, the board shall simultaneously notify the parties of the board's final decision, which shall include the board's rationale for its decision.

### **Employee Investigations of Non-Title IX Sexual Misconduct**

Sexual misconduct allegations not falling under Title IX in which a UWM employee is the alleged respondent will be investigated by the Office of Equity/Diversity Services (EDS) under the procedure outlined in in [UWM's Discriminatory Conduct And Consensual Relationships Policy \(SAAP 5-1\)](#). Under this policy, EDS investigates such allegations as follows:

- EDS will review the complaint to ensure that it contains the information necessary to proceed. If any necessary information is missing, EDS will request the complainant to provide that information.
- Within ten working days of the filing of the complaint, the Director of EDS (or designee) will provide a copy of the complaint to the person(s) alleged to have violated this policy (the respondent) and the Dean or Division Head of the complainant and respondent. In the event that a conflict of interest exists for anyone involved in processing the complaint, a substitute will be appointed accordingly.
- EDS will initiate an investigation of the complaint within ten working days. EDS will endeavor to resolve the matter in a prompt and equitable manner in accordance with applicable federal guidelines and taking into consideration the nature and complexity of the complaint. The complainant and the respondent will be advised of any significant delays occurring during the investigatory process. The investigation may include, but is not limited to: (a) meetings with the complainant and respondent, who may be accompanied by an advisor of their choosing; (b) meetings with other persons who may have relevant information, such as records, files, emails, text messages, charts, and reports; (c) reviewing relevant documents and information; (d) comparing the treatment of the complainant to that of others who are in similar situations in that person's department or unit; and (e) reviewing

applicable policies and practices; and (f) preparing a written report containing EDS's findings and remedial recommendations.

- EDS may dismiss a complaint without issuing written factual findings and remedial recommendations if, after considering the totality of the circumstances including any pattern of violations under SAAP 5-1, it determines that the circumstances are appropriate for doing so. In such a case, the individuals identified in SAAP 5-1 who receive a copy of EDS's written report will be notified, in writing, of the dismissal of the complaint and the basis for the dismissal. Such circumstances may include, but are not limited to, the following:
  - Part or all of the complaint would be handled more appropriately by another department or individual at UWM.
  - The complainant and respondent have agreed to a mutually acceptable resolution of the matter, pursuant to the section below, which makes further investigation unnecessary.
  - The complainant requests in writing that the complaint be dismissed. In cases in which the alleged behavior poses a significant safety risk to the campus community, however, EDS may elect to continue a formal investigation even when the complainant requests in writing to dismiss the complaint.
  - The complainant fails or refuses to cooperate with the investigation.

### **EDS, Findings Responses and Implementation**

At the conclusion of its investigation, EDS will prepare written findings and remedial recommendations to the Provost, with copies to the complainant, respondent, the complainant's Dean or Division Head, the respondent's Dean or Division Head, the Associate Vice Chancellor for Global Inclusion and Engagement, the Vice Chancellor for Global Inclusion and Engagement and, in cases involving sex discrimination or sexual violence and/or sexual harassment, the Title IX Coordinator. At the conclusion of an investigation involving faculty members, the Director of EDS also will notify the University Committee of factual findings and remedial recommendations; EDS will also report to the University Committee on the disposition of complaints involving faculty members at least annually.

### **Review and Final Decision by Provost**

Within ten working days of receipt of the Director of

EDS's written report documenting its factual findings and remedial recommendations, the complainant or the respondent may provide a written submission concerning EDS's report to the Provost. Such submissions may address (1) whether the evidence supports the findings and/or (2) whether the recommended remedial actions are appropriate. The Provost will provide copies of any such submissions to the other party, to the EDS Director, the Dean or Division Head of both the complainant and the respondent, and the Title IX Coordinator (for sex discrimination, sexual violence, and/or sexual harassment complaints).

Within 20 working days after the deadline to provide written submissions to the Provost, even if neither party provided such a submission, the Provost will review the Director of EDS's factual findings and remedial recommendations and issue a final decision (a) accepting them; (b) modifying them; or (c) requesting that EDS conduct further investigation of the matter. The Provost may also address conduct described in the factual findings that violates any university policy. A copy of the decision will be provided to the complainant, respondent, the Dean or Division Head of the complainant and the respondent, the Director of EDS, the Associate Vice Chancellor for Global Inclusion and Engagement, the Vice Chancellor for Global Inclusion and Engagement, the Title IX Coordinator (for sex discrimination, sexual violence, and/or sexual harassment complaints), and the University Committee (for faculty) or the Academic Staff Committee (for academic staff).

### **Disciplinary Action**

Should the Provost be asked to seek disciplinary action, or independently conclude that disciplinary action is warranted, discipline may not be imposed until additional procedural steps have been invoked. The following briefly describes the appropriate process for each employment classification and status. Each party or body who receives the matter from the Provost shall handle the matter in an efficient manner that, to the extent possible, protects the confidentiality of the involved parties

### **Faculty Dismissal for Non-Title IX Sexual Misconduct**

Pursuant to Wis. Admin. Code UWS Ch. 4 and UWM Faculty Policies and Procedures secs. 5.21-5.29, dismissal proceedings for faculty are instituted when the Chancellor receives a complaint against a faculty member which the Chancellor deems substantial and which, if true, could warrant dismissal. After receiving

such a complaint, the Chancellor is required to commence an investigation. Following that investigation, if the Chancellor determines that dismissal charges are warranted, the Chancellor must provide the faculty member with a written statement of specific charges by personal service, by electronic means, or by certified mail.

The faculty member can request a hearing within 20 days of receipt of the written statement of charges. That hearing is conducted by the Dismissal Hearing Committee, a standing faculty committee which is authorized to hear dismissal cases and must be conducted within 20 days of the request for hearing. The faculty member must be served with a written notice of hearing on the specific charges at least 10 days before the hearing is held.

At the hearing, the faculty member is afforded several procedural rights, including the right to an advisor or counsel; to offer witnesses and evidence in their defense; and to confront and cross-examine adverse witnesses. The faculty member is entitled a verbatim record of the hearing and to written findings of fact based on the hearing record.

As soon as practicable following the hearing, the faculty committee must send the Chancellor a verbatim record of the testimony and a copy of its report, findings, and recommendations. Within 20 days of receiving this material, the Chancellor must offer to discuss the material with the faculty member; within 20 days of that meeting, the Chancellor must issue a written recommendation on disciplinary action. If the Chancellor recommends dismissal, the Chancellor's recommendation and a copy of the faculty hearing committee's report and recommendations are sent to the Board of Regents for its review.

The Board of Regents reviews the record from the hearing and provides an opportunity for filing exceptions and for oral argument. If the faculty member waives these opportunities, the Board of Regents takes appropriate action based on its review of the statement of charges and the recommendation of the Chancellor.

### **Faculty Discipline for Non-Title IX Sexual Misconduct**

Pursuant to Ch. UWS 6 and UWM Faculty Policies and Procedures secs. 5.40-5.48, faculty members are subject to discipline for conduct which violates UWM regulations or which violates state or federal law and which directly, substantially, and adversely affects the

faculty member's ability to perform their responsibilities to the university. Such discipline may include an oral reprimand; a written reprimand; temporary reassignment or other restrictions on duties for a period of time; temporary or permanent restriction of access to university property or services; reimbursement for damages to, destruction, or misappropriation of university property or services; reduction in salary; or suspension without pay for a specified period of time.

Allegations of misconduct made against a faculty member are received through the University Committee, which refers complaints to the Faculty Rights and Responsibilities Committee (FRRC) for fact-finding and for recommendations to the Chancellor regarding disciplinary or other corrective action. Upon receipt of a complaint from the University Committee, the FRRC may dismiss a complaint or refer it to the department or administrative unit if the allegation is not serious enough to warrant further action by the FRRC.





If the FRRC decides on any action other than dismissal of the complaint, the FRRC provides the faculty member with written notification of the complaint. The FRRC may investigate the complaint using informal or formal procedures. If the FRRC elects to use or the faculty member requests formal fact-finding procedures, the faculty member is entitled to a hearing, during which the faculty member has the right to present testimony or evidence; to cross-examine witnesses; and to be supported by an advisor of their choice. The faculty member must be served with notice of the hearing with a specification of the complaint at least 20 working days prior to the hearing. The faculty member is entitled to an audio recording of the hearing, and to receive findings of fact and recommendations based on the hearing record.

Within 10 working days of the hearing or at the conclusion of the informal fact-finding process, the FRRC must transmit its findings and recommendations in writing to the Chancellor and the faculty member. Within 10 days of the receipt of the FRRC's findings and recommendations, the faculty member or the individual making the complaint may file written objections with the Chancellor. As soon as practicable

after the objection period, the Chancellor must issue a written decision on the matter, and provide that decision to the faculty member, the person making the complaint, and the FRRC. The Chancellor's decision is final, except that the Board of Regents, in its discretion, may grant a review on the record.

### **Indefinite Academic Staff Dismissal for Non-Title IX Sexual Misconduct**

Pursuant to UWS secs. 11.02-11.10 and UWM Academic Staff Policies and Procedures Ch. 109, dismissal proceedings for academic staff members holding indefinite appointments are instituted when the Chancellor receives a complaint against an academic staff member holding an indefinite appointment which the Chancellor deems substantial and which, if true, could warrant dismissal. After receiving such a complaint, the Chancellor will request that the appropriate dean, director, or their designee conduct an investigation. Following that investigation, if the dean, director, or designee determines that dismissal charges are warranted, the dean, director, or designee must provide the academic staff member with a written

statement of specific charges by personal service, by electronic means, or by certified mail.

The academic staff member can request a hearing within 20 days of receipt of the written statement of charges. That hearing is conducted by a standing academic staff committee which is authorized to hear dismissal cases and must be conducted within 20 days of the request for hearing. The academic staff member must be served with a written notice of hearing on the specific charges at least 10 days before the hearing is held.

At the hearing, the academic staff member is afforded several procedural rights, including the right to an advisor or counsel; to offer witnesses and evidence in their defense; and to confront and cross-examine adverse witnesses. The academic staff member is entitled a verbatim record of the hearing and to written findings of fact based on the hearing record.

As soon as practicable following the hearing, the academic staff hearing committee must send the Chancellor a verbatim record of the testimony and a copy of its report, findings, and recommendations. After reviewing the record and the recommendations of the committee, the Chancellor must issue a decision, in which the Chancellor may order dismissal of the academic staff member; impose a lesser discipline on the academic staff member; or find in the academic staff member's favor.

An academic staff member holding an indefinite appointment who has been dismissed for cause may appeal to the Board of Regents within 30 days of the Chancellor's decision. Upon receipt of the appeal, the Board of Regents reviews the case on the record. The Board of Regents may uphold the Chancellor's decision, direct a different decision, or grant a further hearing with an opportunity for filing exceptions and for oral argument. The Board of Regents issues its decisions in writing.

#### **Probationary or Fixed-Term Academic Staff Dismissal for Non-Title IX Sexual Misconduct**

Pursuant to UWS sec. 11.11 and UWM Academic Staff

Policies and Procedures sec. 109.02, a member of the academic staff holding a probationary appointment, or a member of the academic staff holding a fixed term appointment, may be dismissed prior to the end of their contract term for just cause. The academic staff member is entitled to receive a written notification of specific charges as well as the opportunity for a hearing before the appropriate dean or director or their designee. If such hearing is requested, a determination of just cause and notification of dismissal must be made by the dean or director or designee. The hearing before the dean, director, or designee must provide the academic staff member with an opportunity to present evidence and argument concerning the allegations, and the dean, director, or designee must issue a written decision concerning the matter. Dismissals for cause are appealable to the Academic Staff Hearing and Appeals Committee pursuant to UWM Academic Staff Policies and Procedures sec. 109.02.

#### **Academic Staff Discipline for Non-Title IX Sexual Misconduct**

Discipline, other than dismissal, of academic staff members may be imposed by the employee's supervisor, at their discretion, and may be grieved pursuant to UWM Academic Staff Policies and Procedures Ch. 112.

#### **University Staff Dismissal and Discipline for Non-Title IX Sexual Misconduct**

Discipline, including dismissal, of university staff members may be imposed by the employee's supervisor, at their discretion, and may be grieved pursuant to the University Staff Grievance Policy.

#### **At-Will Employee Dismissal and Discipline for Non-Title IX Sexual Misconduct**

Discipline, including dismissal, of at-will employees, including, but not limited to, limited appointees, teaching assistants, project assistants, postdoctoral trainees, other employees-in-training, and student employees, may be imposed by the employee's supervisor, at their discretion. Such decisions are final and may not be appealed or grieved.

# Fire Safety Report

## Fire Statistics for On-Campus Student Housing Facilities

The Higher Education Opportunity Act, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The Annual Fire Safety Report has been combined with the Annual Security Report and will be posted on the UWM website at [uwm.edu/health-safety/](http://uwm.edu/health-safety/).

Each year, UWM also sends an email notification to all enrolled students and current employees that provides the website to access this report. Anyone may request a copy of the report at the Dean of Students Office, Student Union 345, or by calling 414-229-4632.

UWMPD updates and maintains a fire log of all fires on campus property, including in on-campus student housing facilities. There is no university housing on the Washington County or Waukesha campuses. The log includes the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire. The log notes whether the fire is reportable under the Clery Act. Entries are recorded within two (2) business days of the reporting of the information to the campus police. As matter of protocol, the professional staff in the Department of Residence Life report all fires to the University Police Department.

Fires reported within the past 60 days are available on demand at the UW Milwaukee Police Department. Crime log entries older than 60 days may be available within two (2) business days of the request.

### **Sandburg Residence Halls, 3400 N. Maryland Ave., Milwaukee, WI 53211**

YEAR	TOTAL FIRES	FIRE #	CAUSE OF FIRE	# INJURIES	# DEATHS	VALUE OF PROPERTY DAMAGE
2020	0	0	N/A	N/A	N/A	N/A
2019	3	1	Unintentional- Floor Scrubber Wiring Malfunction	1	0	\$210,185
		2	Unintentional-hair dryer fire	0	0	\$0
		3	Unintentional-cooking fire	0	0	\$0
2018	1	1	Unintentional-cooking	0	0	0
2017	1	1	Unintentional-cooking	0	0	\$65

### **Purin Hall, 2600 E. Kenwood Blvd., Milwaukee, WI 53211**

YEAR	TOTAL FIRES	FIRE #	CAUSE OF FIRE	# INJURIES	# DEATHS	VALUE OF PROPERTY DAMAGE
2020	0	0	N/A	N/A	N/A	N/A
2019	0	0	N/A	N/A	N/A	N/A
2018	0	0	N/A	N/A	N/A	N/A
2017	0	0	N/A	N/A	N/A	N/A

### **Kenilworth Square Apartments, 1915 E. Kenilworth Pl., Milwaukee, WI 53211**

YEAR	TOTAL	FIRE	CAUSE OF FIRE	# INJURIES	# DEATHS	VALUE OF
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	FIRES	#				PROPERTY DAMAGE
2020	0	0	N/A	N/A	N/A	N/A
2019	0	0	N/A	N/A	N/A	N/A
2018	0	0	N/A	N/A	N/A	N/A
2017	3	1	Unintentional-cooking	0	0	\$750
		2	Unintentional-cooking	0	0	\$8513
		3	Unintentional-cooking	0	0	\$1459

### Cambridge Commons, 2323 N. Cambridge Ave., Milwaukee, WI 53211

YEAR	TOTAL FIRES	FIRE #	CAUSE OF FIRE	# INJURIES	# DEATHS	VALUE OF PROPERTY DAMAGE
2020	0	0	N/A	N/A	N/A	N/A
2019	1	1	Unintentional-cooking	0	0	\$0
2018	1	1	Intentional-burned flyer	0	0	\$1
2017	1	1	Unintentional-cooking	0	0	\$0

### Riverview Residence Hall, 2340 N. Commerce., Milwaukee, WI 53212

YEAR	TOTAL FIRES	FIRE #	CAUSE OF FIRE	# INJURIES	# DEATHS	VALUE OF PROPERTY DAMAGE
2020	0	0	N/A	N/A	N/A	N/A
2019	1	1	Unintentional-electrical outlet fire	0	0	\$0
2018	0	0	N/A	N/A	N/A	N/A
2017	3	1	Intentional-lit condiment packet in elevator	0	0	\$1
		2	Intentional-burned door decorations	0	0	\$1
		3	Intentional-burned flyer	0	0	\$1



## Description of On-Campus Student Housing Fire Safety Systems—Residence Halls/Apartments

Sandburg Halls have the following fire safety systems currently in place:

- Complete automatic sprinkler system in the residential towers. The commons will have sprinkler coverage installed in 2021.
- Fire alarm system monitored by the UWM University Housing facilities staff and the University Police Department.
- Smoke detector in each resident room and each suite has an alarm and strobe light located in the hallway or common area within the suite or apartment.
- Egress corridors and stairwells are fire rated.
- Residents with disabilities are accommodated according to their needs.
- Note: Sandburg Halls are equipped with a fire alarm system that sounds independently in each tower.

Kenilworth Square Apartments have the following fire safety systems in place:

- Complete automatic sprinkler system.
- Fire alarm system monitored by the UWM University Housing facilities staff and a 24-hour central station monitoring service
- Smoke detector in each resident room and each suite has an alarm and strobe light located in the hallway or common area within the suite or apartment.
- Egress corridors and stairwells are fire rated.
- Residents with disabilities are accommodated according to their needs.

Purin Hall has the following fire safety systems in place:

- Fire alarm system with notification system throughout the entire building.
- Smoke alarms in each apartment.
- Egress corridors and stairwells are fire rated.
- Heat detectors in kitchen areas.
- Heat detectors in parking structure, boiler room, and generator room.

Cambridge Commons Residence Hall has the following fire safety systems in place:

- Complete automatic sprinkler system.
- Fire alarm system monitored by the UWM University Housing facilities staff and a 24-hour central station monitoring service (it dials out to Emergency 24, not University Police).
- Smoke detector in each resident room and each suite has an alarm and strobe light located in the hallway or common area within the suite or apartment.
- Egress corridors and stairwells are fire rated.
- Residents with disabilities are accommodated according to their needs.

RiverView Residence Hall has the following fire safety systems in place:

- Complete automatic sprinkler system.
- Fire alarm system monitored by the UWM University Housing facilities staff and a 24-hour central station monitoring service (it dials out to Emergency 24, not University Police).
- Smoke detector in each resident room and each suite has an alarm and strobe light located in the hallway or common area within the suite or apartment.
- Egress corridors and stairwells are fire rated.

Note: Fire alarm systems in each building undergo general testing regularly and every device (heat detectors, smoke detectors, flow switches, pull stations, monitor modules, etc.) as well as notification devices (speakers and strobes) receive comprehensive system inspection annually.

### UWM Fire Safety Policy

If a fire occurs in a UWM residence hall or apartment, community members should pull the fire alarm, use the nearest safe exit to evacuate and notify UWMPD by immediately calling 9-911 from a campus phone or 414-229-9911 from a cellular telephone. If a community member finds evidence of a fire that has been extinguished, and the person is not sure whether UWMPD has already responded, the community member should immediately notify UWMPD at 414-229-4627 to investigate and document the incident. For the purposes of including a fire in the statistics in the Annual Fire Safety Report, community members are encouraged to forward any information to the UWMPD by telephone at 414-229-4627, in person at 3410 N. Maryland Ave., or via the web at [uwm.edu/police/contact-us/](http://uwm.edu/police/contact-us/)

### UWM Residence Halls

#### **Residence Hall Fire Drills**

Fire drills are conducted in all on-campus Residence Halls during the school year to allow residence to become familiar with building alarm systems and practice an evacuation. The drills are coordinated and conducted by University Housing.

University Housing conducts regular fire drills throughout the year, with a minimum of one drill in each of the Spring, Summer, and Fall terms. University Housing residential programs staff evaluated those drills in coordination with the Department of University Safety & Assurances.

Fire evacuation drills are conducted by activating each individual fire alarm system in each on-campus student housing facility. One of the three drills occurred during

the business day in buildings where there are office staff members, and the remainder occurred in the early evening hours when the majority of students were within the halls.

Due to the COVID-19 pandemic in 2020, the Residence Hall fire drills were cancelled. In lieu of fire drills at each building, guidance was disseminated to building residents and staff. The guidance consisted of Emergency Response to Fire Occurrence procedure and Fire Alarm Procedures including evacuation and emergency notification information.

### **Prohibitions on Portable Electrical Appliances, Smoking, and Open Flames**

On-campus housing facilities have prohibitions against the following activities:

- Smoking
- Using lighted candles or other open flames devices
- Cooking in unapproved areas (bedrooms) including use of toaster ovens and appliances with an open heating element. Microwaves are allowed in some areas
- Use of space heaters, air conditioners
- Ceiling fans, or auxiliary heating/cooling devices
- Misuse of extension cords and power-strips
- Tampering with or blocking any fire protection equipment
- Possession of fireworks, live ammunition, flammable liquids and fuels, or other explosive or combustible materials
- Use of halogen lamps or halogen bulbs, and any

lamp with a plastic shade

- Possession of hotplates, deep fryers, toasters, toaster ovens, waffle irons, soldering irons, or grills

### **Candles/Incense**

University Housing policies allow the spiritual use of candles, incense, sage, sweetgrass, and cedar smoke, when its use is for the purpose of purification or prayer; is consistent with time-honored cultural, traditional, and spiritual observances; and complies with the protocols outlined in the Resident Handbook. Residents are required to complete a form and receive approval at least one week in advance of the requested burning timeframe. Once the form is submitted, the requestor must meet briefly with a member of the University Housing staff for an inspection of the area where the burning is to occur, along with a brief training on how to use a fire extinguisher.

Additional information regarding fire safety within the residence halls is available in the University Housing Resident Handbook:

<https://uwm.edu/housing/policies/rules-regulations/>

### **Evacuation Procedures**

The evacuation procedures are the same for all University Housing Facilities. University Housing's fire safety regulations are intended to prevent injuries to members of the University community and physical damage to facilities. Rooms are inspected periodically, at random, to



assure compliance with University Housing regulations. Due to the seriousness of the regulations that cover fire safety, University Housing takes disciplinary action on the first offense. Such actions may include an educational and/or a disciplinary sanction (such as housing contract probation, contract termination (eviction from the residence halls), etc.).

In the event that an alarm is activated, the fire alarm will sound and the strobe lights will flash. Sandburg Halls, Cambridge Commons, Kenilworth Square, and RiverView Halls are each equipped with a public address system, and University Housing staff will provide instructions for the residents to follow in response to a fire alarm. Residents should assume each alarm is genuine and respond according to directions given over the public address system. If the alarm is determined to be a false alarm, an “all clear” will be issued over the public address system. In the event of an actual fire emergency, residents will be instructed over the public address system to evacuate the building immediately. During an evacuation, residents must:

- Immediately evacuate the building using the nearest stairwell.
- If smoke or fumes are coming up the stairwell, a different stairwell should be used.
- Do not use the elevators. Depending on what activates the fire alarm, the elevators may go to the first floor and remain there.
- Once residents have exited the building, they must move as far away as possible from the building to allow fire fighters access to the building.
- University Housing Staff will make clear announcements when the fire emergency has been resolved and inform residents when it is safe to return to the building.

### **Elevator Use During Fires**

When a fire alarm is sounded, elevators are programmed to go to the first floor of the building and remain locked out of normal service preventing building occupants from using the elevator during a fire. In the event of a fire or other emergency condition, the elevator can only be operated by trained firefighters.

Under no circumstances should anyone, other than a trained and experienced elevator technician, attempt to perform repairs to an elevator or its associated equipment, or attempt to rescue any entrapped passenger(s) unless a bona fide emergency, such as a risk to life or a fire, exists. Under certain rare circumstances, when it is believed that a serious life/safety hazard exists, police or fire department personnel may access elevator shafts or cars using the proper procedures as outlined in ASME A17.4, “Emergency Evacuation of Passengers from Elevators.”

Most campus elevators are equipped with emergency phones for the purpose of summoning aid for those stranded in a stalled elevator. Please identify yourself and the number from which you are calling. Identify the emergency, including type, location, injuries, and/or other known details to determine assistance needed. If possible, stay on the line until the dispatcher tells you that you can hang up.

### **Fire Preparedness**

Learn where emergency exits are located. All designated exits are clearly marked.

Review the Emergency Evacuation Floor Plans for your building in advance of an emergency so that you are familiar with alternate routes in the event that your normal exit route is blocked by fire or smoke.

Participate in fire drills. Fire drills are conducted to familiarize you with the sound of your building’s fire alarm, the emergency exits which you may not normally use, and the procedures for calling the UWM Police. In case of fire evacuate through the nearest, safe stairwell. Do not use elevators.

#### *If you are disabled*

If you are a wheelchair user, you should learn about fire safety, plan ahead for fire emergencies, and be aware of your own capabilities and limitations. Look for “areas of refuge”, like stair enclosures or the other side of corridor fire doors. Most elevators are designed to stop operating when the alarm is sounding and are not safe during a fire. Sometimes it may be safer to stay in your room. If you are hearing-impaired you should request to be assigned to a room with strobe lights inside the bedroom. Contact the Accessibility Resource Center at [uwm.edu/arc](http://uwm.edu/arc) (x6287; voice or TTY) or see our webpage on Emergency Evacuation of People with Disabilities [uwm.edu/safety-health/emergency/](http://uwm.edu/safety-health/emergency/) for additional information.

### **Reporting Fires**

Reporting of fires on the UWM campus occurs in several ways. First, most fires are reported through automated smoke detector or rate-of-rise heat detector systems. Each campus building is served by an advanced automated fire detection system that sounds a local alarm and also sends an alarm to the campus 911 emergency system.

The system dispatcher notifies the local fire department and sends law enforcement officers to the alarm location for further investigation. Automated sensors are located in rooms and hallways and also inside building ventilation ductwork.

Second, fires are reported by use of manual pull-boxes.



The boxes, also connected to the advanced fire detection systems, activate the local alarm and send an alarm to the campus 911 emergency system.

Third, fires are reported by telephone and cellular phone calls to the campus 911 system. Users of campus telephones should dial 9-911 while cellular callers should dial 414 229-9911 to reach the campus 911 dispatcher. The dispatcher contacts the local fire department and sends law enforcement officers to the alarm location for further investigation.

Fourth, reporting system is via fire sprinkler flow switches is integrated within the fire alarm system. Upon activation of a sprinkler head, both a localized alarm and a transmitted signal occur similar to fire alarm activations by smoke or heat detectors. Students should also report any fire in progress to a resident assistant (assigned by floor) or Housing security staff:

- Sandburg and Purin Hall Security Staff, 414-229-6123
- Cambridge Commons Security Staff, 414-935-6900
- RiverView Residence Hall Security Staff, 414-229-3595
- Kenilworth Square Apartments Security Staff, 414-229-0512

Per federal law, the University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the UWM Police Department may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

- UWMPD: (non-emergency) 414-229-4627
- Director of University Housing: 414-229-4059

When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

There is a reward for information leading the arrest of an arsonist. Causing a false alarm is a crime punishable by a fine of \$5,000- and 5-years' imprisonment. Vandalism of fire extinguishers, exit signs, and fire alarms robs you of your fire protection. Any person found responsible for these crimes will be prosecuted to the fullest extent of the law.

### **Fire Safety Education and Training Programs for Students, Faculty, and Staff**

US&A, along with University Housing staff, provides

training to University Housing staff including resident assistants, student security staff, and University Housing residential programs staff (live-in, student and professional employees) each year. This training includes information on fire protection features of facilities, fire prevention, and evacuation and emergency procedures.

Students are also educated at the beginning of each year by Resident Assistants on common fire causes, prohibited materials that contribute to fires, the damage that can occur as the result of fires, and University Housing rules regarding fire safety.

Fire safety training and information is available to all faculty, staff, and students in in-person and online formats. Fire Safety Awareness and Extinguisher training consists of classroom discussion of fire hazards, common causes, extinguishing resources and proper procedures to follow when a fire is discovered, as well as hands-on extinguisher instruction with a live fire. This in-person training is conducted during open sessions for the campus community and targeted sessions for University Housing resident assistants and security staff, academic departments, Facility Services, and as requested by departments or campus groups. Online information is available at [uwm.edu/safety-health/fire/](http://uwm.edu/safety-health/fire/).

### **Plans for Future Improvement in Fire Safety**

University Housing installed fire alarm strobe lights in West and North Tower student rooms to provide additional room choices for hearing-impaired students. Additionally, the West Tower emergency stairwell doors were recently replaced.

In 2019, the North and South Tower emergency stairwell doors were replaced to enhance function and fire rating. In 2017 and 2018, the North Tower emergency stairwell doors were replaced to enhance function and fire rating. The South Tower doors were similarly replaced in 2019.

In the upcoming years, UWM plans on improving fire safety systems as follows:

- Sandburg Hall South Tower: Upgrade some sprinkler pipe and replace all the sprinkler heads.
- Sandburg Hall Commons Areas, including Sandburg garage: Install new sprinkler system in the parking structure:
- Sandburg Hall North Tower: Upgrade some sprinkler pipe and replace all the sprinkler heads.



# Crime Statistics for 2018, 2019, and 2020

## Main “Kenwood” Campus: Criminal Offenses

OFFENSES	LOCATION	2018	2019	2020
Criminal Homicide-Murder & Non-negligent Manslaughter	On Campus	0	0	0
	Residence Halls <sup>43</sup>	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Criminal Homicide-Negligent Manslaughter	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Rape	On Campus	15	4	4
	Residence Halls	13	4	4
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unknown Location <sup>44</sup>	0	0	0
Sex Offenses- Fondling	On Campus	8	0	2
	Residence Halls	4	0	2
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unknown Location <sup>45</sup>	0	0	0
Sex Offenses- Incest	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Statutory Rape	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Robbery	On Campus	1	1	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On Campus	0	0	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Burglary	On Campus	8	11	6
	Residence Halls	4	5	1
	Non-Campus	1	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On Campus	2	2	1
	Residence Halls	1	1	0
	Non-Campus	2	0	0
	Public Property	0	0	1
Arson	On Campus	1	0	0
	Residence Halls	1	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

<sup>43</sup> Note that Residence Hall statistics are a subset of the On Campus statistical category.

<sup>44</sup> The location of these crimes are unknown. One report was made anonymously, and the remaining reports were submitted by third parties

<sup>45</sup> The location of this crime is unknown as it was reported anonymously with no information on the location.

### Main “Kenwood” Campus: Violence Against Women Act Offenses

OFFENSES	LOCATION	2018	2019	2020
Domestic Violence	On Campus	1	1	0
	Residence Halls	0	1	0
	Non-Campus	0	0	0
	Public Property	2	0	0
	Unknown Location	3	0	0
Dating Violence	On Campus	4	6	1
	Residence Halls	4	6	1
	Non-Campus	0	0	0
	Public Property	1	0	0
	Unknown Location	1	0	0
Stalking	On Campus	5	1	3
	Residence Halls	3	1	1
	Non-Campus	0	0	0
	Public Property	1	0	0

### Main “Kenwood” Campus: Arrests and Referrals for Disciplinary Action

OFFENSES	LOCATION	2018	2019	2020
Weapons Law Arrests	On Campus	0	1	0
	Residence Halls	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Weapons Law Disciplinary Referrals	On Campus	0	3	0
	Residence Halls	0	3	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Drug Law Arrests	On Campus	13	12	6
	Residence Halls	12	11	1
	Non-Campus	0	0	0
	Public Property	1	1	2
Drug Law Disciplinary Referrals	On Campus	169	150	102
	Residence Halls	149	148	99
	Non-Campus	1	0	0
	Public Property	5	7	3
Liquor Law Arrests	On Campus	0	1	0
	Residence Halls	0	1	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Liquor Law Disciplinary Referrals	On Campus	282	410	190
	Residence Halls	257	407	190
	Non-Campus	14	8	0
	Public Property	19	28	17

### Hate Crimes

**2020:** There were not reported hate crimes

**2019:** One (1) on-campus Vandalism Incidents characterized sexual orientation bias.

**2018:** Two (2) on-campus Vandalism Incidents characterized gender identity bias. characterized by sexual orientation bias.

### Unfounded Crimes

**2020:** two (2) unfounded crimes

**2019:** two (2) unfounded crimes

**2018:** three (3) unfounded crimes

## Milwaukee Police Department Crimes

Before 2018, UWM was able to determine the specific location of crimes using the City of Milwaukee's crime data mapping system, the City of Milwaukee's crime mapping system is no longer available for use. In January 2021, UWM requested 2020 crime statistics from the Milwaukee Police Department (MPD). In its request, UWM requested numbers of Clery reportable crimes that occurred on public property immediately adjacent to and accessible from the campus using specific address ranges.

In its response, MPD provided crimes that occurred in various city blocks adjacent to campus but not by specific address. As a result, UWM cannot identify which crimes of those provided by MPD occurred on public property immediately adjacent to and accessible from the UWM-Milwaukee (Kenwood) campus. However, UWM has provided the statistics received from MPD for purposes of this report, with the caveat that not all of these crimes occurred within or on public property.

OFFENSE DESCRIPTION	2018	2019	2020
Murder/Non-Negligent Homicide	0	0	0
Negligent Manslaughter	0	0	0
Rape	1	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	5	2	3
Aggravated Assault	2	2	2
Burglary	20	0	5
Motor Vehicle Theft	11	4	4
Arson	0	0	0
Domestic Violence	5	2	6
Liquor Law Violations	2	0	0
Drug Law Violations	0	2	0
Illegal Weapons Offenses	0	1	0

## School of Freshwater Science Campus: Criminal Offenses

OFFENSES	LOCATION	2018	2019	2020
Criminal Homicide-Murder & Non-negligent Manslaughter	On Campus	0	0	0
	Public Property	0	0	0
Criminal Homicide Negligent	On Campus	0	0	0

Manslaughter	Public Property	0	0	0
Sex Offenses- Rape	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Fondling	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Incest	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Statutory Rape	On Campus	0	0	0
	Public Property	0	0	0
Robbery	On Campus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On Campus	0	0	0
	Public Property	0	0	0
Burglary	On Campus	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	Public Property	0	0	0
Arson	On Campus	0	0	0
	Public Property	0	0	0

#### **School of Freshwater Science Campus: Violence Against Women Act Offenses**

OFFENSES	LOCATION	2018	2019	2020
Domestic Violence	On Campus	0	0	0
	Public Property	0	0	0
Dating Violence	On Campus	0	0	0
	Public Property	0	0	0
Stalking	On Campus	0	0	0
	Public Property	0	0	0

#### **School of Freshwater Science Arrests and Referrals for Disciplinary Action**

OFFENSES	LOCATION	2018	2019	2020
Weapons Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Weapons Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0
Drug Law Arrests	On Campus	0	0	0
	Public Property	0	0	1
Drug Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0
Liquor Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Liquor Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0

There were no reported Hate Crimes for the School of Freshwater Science for 2018, 2019, and 2020.

There were no reported Unfounded Crimes for the School of Freshwater Science for 2018, 2019, and 2020.

#### **Zilber School of Public Health Campus: Criminal Offenses**

OFFENSES	LOCATION	2018	2019	2020
Criminal Homicide-Murder & Non-negligent Manslaughter	On Campus	0	0	0
	Public Property	0	0	0
Criminal Homicide Negligent	On Campus	0	0	0



Manslaughter	Public Property	0	0	0
Sex Offenses- Rape	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Fondling	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Incest	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Statutory Rape	On Campus	0	0	0
	Public Property	0	0	0
Robbery	On Campus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On Campus	0	0	0
	Public Property	0	0	0
Burglary	On Campus	0	1	0
	Non-Campus	1	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	Public Property	0	0	0
Arson	On Campus	0	0	0
	Public Property	0	0	0

#### **Zilber School of Public Health Campus: Violence Against Women Act Offenses**

OFFENSES	LOCATION	2018	2019	2020
Domestic Violence	On Campus	0	0	0
	Public Property	0	0	0
Dating Violence	On Campus	0	0	0
	Public Property	0	0	0
Stalking	On Campus	0	0	0
	Public Property	0	0	0

#### **Zilber School of Public Health Campus: Arrests and Referrals for Disciplinary Action**

OFFENSES	LOCATION	2018	2019	2020
Weapons Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Weapons Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0
Drug Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Drug Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0
Liquor Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Liquor Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0

There were no reported Hate Crimes for the Zilber School of Public Health for 2018, 2019, and 2020. There were no reported Unfounded Crimes for the Zilber School of Public Health for 2019 and 2020. There was one Unfounded Crime for the Zilber School of Public Health in 2018.

#### **Washington County Campus: Criminal Offenses**

OFFENSES	LOCATION	2018	2019	2020
Criminal Homicide-Murder & Non-	On Campus	0	0	0

negligent Manslaughter	Public Property	0	0	0
Criminal Homicide Negligent Manslaughter	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Rape	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Fondling	On Campus	1	0	0
	Public Property	0	0	0
Sex Offenses- Incest	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Statutory Rape	On Campus	0	0	0
	Public Property	0	0	0
Robbery	On Campus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On Campus	0	0	0
	Public Property	0	0	0
Burglary	On Campus	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	Public Property	0	0	0
Arson	On Campus	0	0	0
	Public Property	0	0	0

#### **Washington County Campus: Violence Against Women Act Offenses**

OFFENSES	LOCATION	2018	2019	2020
Domestic Violence	On Campus	0	0	0
	Public Property	0	0	0
Dating Violence	On Campus	0	0	0
	Public Property	0	0	0
Stalking	On Campus	0	0	0
	Public Property	1	0	0

#### **Washington County Campus: Arrests and Referrals for Disciplinary Action**

OFFENSES	LOCATION	2018	2019	2020
Weapons Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Weapons Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0
Drug Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Drug Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0
Liquor Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Liquor Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0

There were no reported Hate Crimes for the Washington County Campus for 2018, 2019, and 2020.

There were no Unfounded Crimes for the Washington County Campus for 2018, 2019, and 2020.

#### **Waukesha Campus: Criminal Offenses**

OFFENSES	LOCATION	2018	2019	2020
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Criminal Homicide-Murder & Non-negligent Manslaughter	On Campus	0	0	0
	Public Property	0	0	0
Criminal Homicide Negligent Manslaughter	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Rape	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Fondling	On Campus	1	0	0
	Public Property	0	0	0
Sex Offenses- Incest	On Campus	0	0	0
	Public Property	0	0	0
Sex Offenses- Statutory Rape	On Campus	0	0	0
	Public Property	0	0	0
Robbery	On Campus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On Campus	0	0	0
	Public Property	0	0	0
Burglary	On Campus	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	Public Property	0	0	0
Arson	On Campus	0	0	0
	Public Property	0	0	0

#### **Waukesha Campus: Violence Against Women Act Offenses**

OFFENSES	LOCATION	2018	2019	2020
Domestic Violence	On Campus	0	0	0
	Public Property	0	0	0
Dating Violence	On Campus	0	0	0
	Public Property	0	0	0
Stalking	On Campus	0	0	0
	Public Property	0	0	0

#### **Waukesha Campus: Arrests and Referrals for Disciplinary Action**

OFFENSES	LOCATION	2018	2019	2020
Weapons Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Weapons Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0
Drug Law Arrests	On Campus	1	0	0
	Public Property	0	0	0
Drug Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0
Liquor Law Arrests	On Campus	0	0	0
	Public Property	0	0	0
Liquor Law Disciplinary Referrals	On Campus	0	0	0
	Public Property	0	0	0

There were no reported Hate Crimes for the Waukesha Campus for 2018, 2019, and 2020.

There were no Unfounded Crimes for the Waukesha Campus for 2018, 2019, and 2020.