

# LAKELAND UNIVERSITY

## 2016 Jeanne Clery Disclosure of Campus Security Policies and Campus Crime Statistics Act and Fire Safety Report



**LAKELAND**  
**◆ UNIVERSITY ◆**

Annual Security Report for the Lakeland University Main Campus, Milwaukee Center,  
Madison Campus, Green Bay Campus, Fox Cities Center, Chippewa Valley Center,  
Central Wisconsin Center, Japan Campus & Aviation Center

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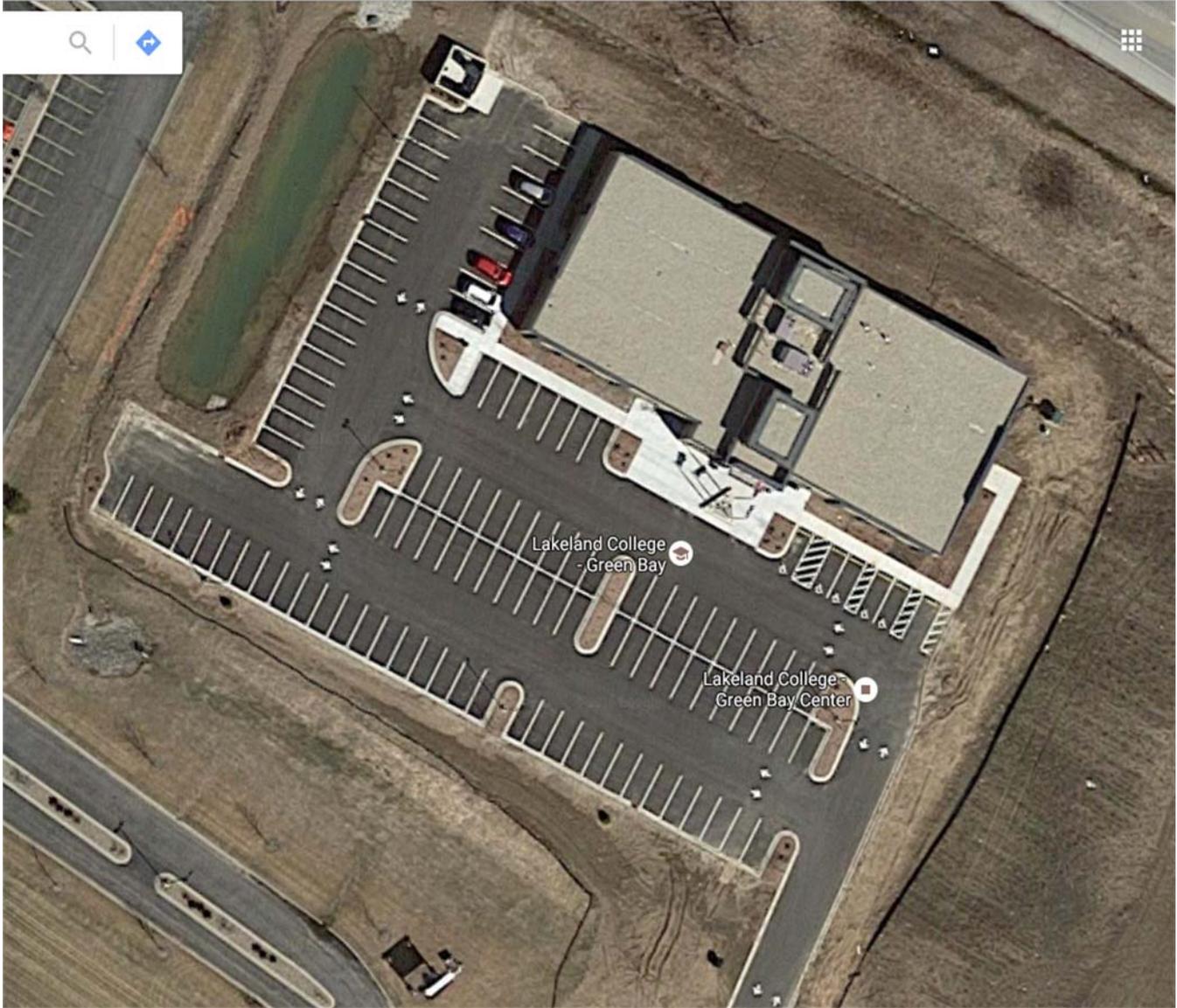
**Residence Halls**

(30)Friedli Hall (6)Grosshuesch Hall (5)Hill House (32)Hofer Hall (25)A.M. Krueger (3)Hall Kurtz House (4)Morland House (7)Muehlmeier Hall (24)Brotz Hall (9)South Hall

*Note: Above is a Map of the Main Core Campus. All Property Considered to be On Campus is pictured in the map above*

The Streets running through Campus are owned by Lakeland University, the dark grey street at the bottom east of the map is considered public property.

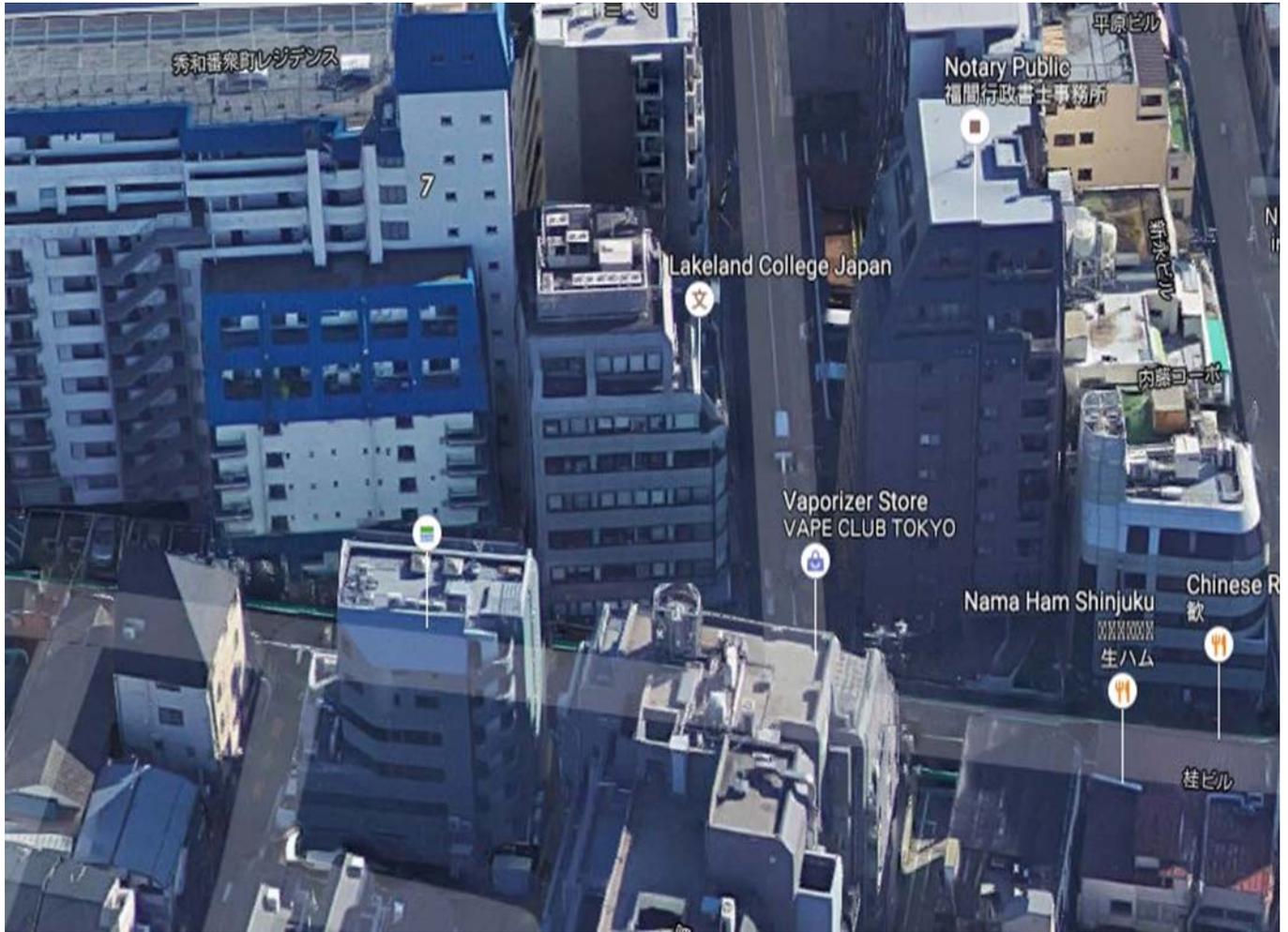
**CAMPUS PROPERTIES (NOT PICTURED WITH MAPS): Milwaukee Center, Fox Cities Center, Chippewa Valley Center, Central Wisconsin Center, and Aviation Center**



**Lakeland University Green Bay Campus Non-Residential**



**Lakeland University Madison Campus Non-Residential**



**Lakeland University Tokyo, Japan Campus Non-Residential**

I would like to extend a welcome to all new and returning students, faculty and staff. Please feel free to speak with any of the Officers or myself regarding any questions or concerns you may have. Always remember your voice and opinion in our community matters. Again, on behalf of the Lakeland University Campus Safety and Security department, I welcome you to our community. The Department of Campus Safety & Security's mission is to provide professional and courteous service to the Lakeland University students, faculty and staff and guest by providing a safe and secure environment in which to learn, live, grow and enjoy the Lakeland University community experience.

Lakeland University is located in a safe and friendly community; however, everyone must take precautions to protect themselves from becoming a victim of crime. Crime can occur anywhere; our community is no exception. It is our hope that you will take advantage of the services and programs we provide to help continue to keep the Lakeland University Community safe. The Department of Campus Safety and Security consists of 3 fulltime, and 8 part-time armed professional staff security officers who are on duty 24/7, 365 days of the year. We are here to assist you in being successful and connecting you to resources on campus as well as off campus if needed. We are located on lower level of Brotz hall, W3745 North Drive Rm#19.

If you have any questions about this report please feel free to contact me at **920-565-1000 ext. 2501** or e-mail [simondr@lakeland.edu](mailto:simondr@lakeland.edu).

Sincerely,  
*David R. Simon Jr.*

### **The Annual Campus Security & Fire Safety Report - Introduction**

Lakeland University publishes this report in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (as amended in October 1998). The Clery Act requires institutions to prepare, publish, and distribute an annual security report containing specific information about campus security policies and campus crime statistics. In addition, 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*. This report contains information about campus fire safety practices and standards of the institution. The Lakeland University Safety and Security Department is responsible for preparing and distributing this report in accordance with the Clery Act. The Safety and Security Department works with many other departments and agencies to compile the information required for this report. Other campus offices such as the Office of Residential Life, Athletics, Health Services, and Counseling Services, all provide critical information concerning campus security policies and campus crime statistics for inclusion in this report. Our local law enforcement Department's also provides information concerning crime statistics for disclosure in the report. We encourage all members of the Lakeland University community to use this report as a guide for safe practices on and off-campus. It outlines campus policies and provides important safety and crime prevention tips.

## Preparation of the Annual Disclosure of Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, 10 U.S.C. §1092(f) et. seq., and its implementing regulations require colleges and universities to do the following:

- Publish an annual report every year by October 1 that contains three years of campus crime and fire safety statistics and certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms.
- Provide “timely warning” notices of those crimes that have occurred and pose an ongoing threat to students and employees.
- Issue an emergency notification, 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 campus.
- Disclose in a public crime log crimes that occur on campus or within the jurisdiction of campus security that is reported to campus security.
- Maintain in a public fire log a record of any fire(s) that occurred in an on-campus student housing facility.

**Note: The statistics must be gathered from campus security, jurisdictional law enforcement, and other University officials who have significant responsibility for student and campus activities.**

Lakeland University (LU) Campus Safety and Security Office prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at <http://lakeland.edu/Campus-Life/safety-and-security#more-info-about-asr-annual-security-report>. This report is prepared in cooperation with the jurisdictional law enforcement agencies surrounding our campuses, centers and alternative sites, Title IX Office, Student Affairs, Human Resources, Health Services, Residential Life, and Student Conduct. Each entity provides updated information on their educational efforts, policy implementation and programs to comply with the Clery Act requirements.

Campus crime, arrest and referral statistics include those reported to the LU Campus Safety & Security Office, designated campus officials including but not limited to directors, deans, department heads, athletic coaches, academic and organization advisor, the Director of Equal Opportunity and Title IX, Student Conduct, and local law enforcement agencies. Counseling

Services inform their clients of the procedures to report crime to the LU Campus Safety & Security Office on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

The gathering of the statistical information provided in this report does not violate the Family Educational Rights and Privacy Act (FERPA) or any other law.

Each year, an e-mail notification is made to all enrolled students, faculty and staff that provide the web site to access this report. Copies of the report may also be obtained by contacting the LU Campus Safety & Security Director at 920 565-1000 x2501, or from campus phone at ext. 2501 and in person at W3745 North Drive, LL north entrance Rm#19.

All prospective students may view a copy by visiting LU Safety & Security web page at <https://lakeland.edu/Campus-Life/safety-and-security#more-info-about-asr-annual-security-report> or by contacting the LU Campus Safety & Security Director at 920 565-1000 x2501, or in person at W3745 North Drive, Brotz Hall north entrance LL Rm#19 or at the web site address which will have LU registration application.

All prospective employees may view a copy by visiting LU Safety & Security web page at <https://lakeland.edu/Campus-Life/safety-and-security#more-info-about-asr-annual-security-report> or by contacting the LU Campus Safety & Security Director at 920 565-1000 x2501, or in person at W3745 North Drive, Brotz Hall north entrance LL Rm#19 or at the web site address which will have LU registration application.

**All policy statements contained in this report pertain to the main campus and the identified separate campuses and center locations unless otherwise stated.**

### **Preparation of the Annual Security Report and Disclosure of Crime Statistics for offsite campuses and centers**

Not all Evening Weekend and Online School Centers have security officers working on site. Students and employees are encouraged to report all crimes to the local police department in the jurisdiction where the program is located. The local police department is responsible for conducting any criminal investigations reported at the EWO School locations. If possible, please notify University personnel at the Center if you are the victim of a crime. This notification will allow Lakeland personnel the opportunity to review whether or not a crime alert should be posted and will assist Lakeland in maintaining accurate crime statistics for each site.

The same campus disciplinary system for the main campus applies to the EWO School Centers. Any non-criminal investigation will be completed by the appropriate personnel. This action may include revocation of certain privileges, suspension or expulsion from the University.

There are no officially recognized student organizations or residential facilities affiliated with any of these campuses and centers. Crimes occurring at these locations are listed in the crime statistic section under the name of the campus or center in the Annual Security report (**Green Bay Campus, Madison Campus, Japan Campus, Milwaukee Center, Fox Cities Center, Chippewa Valley Center, Central Wisconsin Center and Aviation Center**).

## I. Reporting Procedures

### Lakeland University

To help provide a secure and safe environment, all members of the Lakeland community, including campus visitors, are expected, requested, and encouraged to report any criminal activity or emergencies they witness. Reporting may be accomplished by contacting the Department of Safety and Security directly at **920-565-1126** or **ext. 1126** from a campus phone. If there is an actual emergency requiring police, fire or medical response, please call 911 or from a campus phone **8-911**.

Safety and Security is available 24 hours a day 7 days a week, and will respond immediately to your location if calls are related to the Main Campus. Response time may be affected by various factors, such as the number and location of available personnel and/or their involvement at the time a report is received. Response to an incident may also involve other personnel i.e. member from the Counseling Center in the case of a sexual assault, and/or an outside law enforcement agency or other agencies if an incident requires manpower or specialized abilities beyond the capabilities of LU Safety and Security department.

In addition, should you not want to report a crime to the Safety and Security Department or the Sheboygan County Sheriff's Department, you may report a crime to the following:

<b>Dean of Students &amp; Title IX Coordinator</b> Bryan Bain	Campus Center 108B	920-565-1043 ext. 2505
<b>Director of Counseling</b> Cary Knier	Brotz Hall LL26	920-565-1034 ext. 2387
<b>Director of Health Center</b> Sherry Carstens	Brotz Hall LL27	920-565-1034 ext. 2385
<b>Campus Counselor</b> Alex Liosatos	Brotz Hall LL28	920-565-1034 ext.2388
<b>Assistant Title IX Coordinator</b> N/A		
<b>Director of Residence Life</b> James Bajczyk	Campus Center 107A	920-565-1042 x2465
<b>Campus Chaplin</b> Alex Cade-White	Laun 100	920-565-1021 x2114
<b>Athletic Director</b> April Arvan	Chase 110	920-565-1000 x2327
<b>Senior Associate Director of Athletics</b> Aaron Aanonsen	Wehr Center Athletic Office	920-565-1024 x2172
<b>Student Success &amp; Engagement Coach</b> Corey Roberson	Campus Center 108A	920-565-1043 x2510
<b>Student Success &amp; Engagement Coach</b> See Tho	Campus Center 107C	920-565-1043 x2508
<b>Director of Student Athlete Development</b> Leslie Laster	Campus Center 105B	920-565-1043 x2507

## **Emergency Crime Reporting and Voluntary & Confidential Reporting**

Lakeland University encourages accurate and prompt reporting of all crimes to the Lakeland University Campus Safety and Security Office and the appropriate law enforcement agencies. If crimes are never reported, little can be done to help other members of the community from also being victims. We encourage University community members to report crimes promptly and to participate in and support crime prevention efforts. The University community will be much safer when all community members participate in safety and security initiatives.

## **Campus and Community Reporting**

The University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire LU community that you immediately report all incidents. This, so that the LU Campus Safety and Security Office can investigate the situation and determine if follow-up actions are required, including issuing a Timely Warning or Emergency Notification and if required, including the information in the annual crime statistics disclosure.

- To report by campus phone, dial **1-1-2-6** from any campus telephone to reach LU Campus Safety & Security Department. If using a cell phone on campus, dial **920-565-1126**.
- If it's an immediate emergency dial **8-9-1-1** from any campus phone.
- To report in person, visit LU Campus Safety & Security Office at W3745 North Drive, Brotz Hall north entrance LL Rm. 19.
- To report a crime online, go to the LU Campus Safety & Security Department webpage, <http://lakeland.edu/Campus-Life/safety-and-security#anonymous-tip-form>.

## **Anonymous Reporting**

If you are interested in reporting a crime online, you can utilize the LU Safety & Security Department, Anonymous Reporting, which can be accessed through the department's webpage, <http://lakeland.edu/Campus-Life/safety-and-security#anonymous-tip-form>. It is our policy to not attempt to trace the origin of the person who submits this form, unless such is deemed necessary for campus safety. Cases reported anonymously are disclosed in the annual crime statistics.

## **Campus Security Authorities (CSAs)**

A Campus Security Authority is a term used to describe someone who has significant responsibility for student and campus activities. The regulations that govern the Clery Act (34 CFR 668.46) define a CSA as:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do

not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring entrance into institutional property).

- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student complaint resolution, and University administrative conduct process.
- Pastoral and professional counselors are not considered a campus security authority when acting in their roles as a pastoral or professional counselor.

If someone reports a crime to an employee of Lakeland University, that individual may have an obligation to share this information if he or she has been identified as a Campus Security Authority or Responsible Employee. Campus Security Authorities have a legal obligation to respond to reports of sexual violence, even if the individual making the report requests that no action be taken. While the University has identified a number of CSAs, we officially designate the following department(s) as a place where campus community members should report crimes:

<b>Campus Safety &amp; Security</b>	Brotz Hall LL19	920-565-1126 or ext. 1126
<b>Dean of Students &amp; Title IX Coordinator</b> Bryan Bain	Campus Center 108B	920-565-1043 ext. 2505
<b>Director of Counseling</b> Cary Knier	Brotz Hall LL26	920-565-1034 ext. 2387
<b>Director of Health Center</b> Sherry Carstens	Brotz Hall LL27	920-565-1034 ext. 2385
<b>Campus Counselor</b> Alex Liosatos	Brotz Hall LL28	920-565-1034 ext.2388
<b>Assistant Title IX Coordinator</b> N/A		
<b>Director of Residence Life</b> James Bajczyk	Campus Center 107A	920-565-1042 x2465
<b>Campus Chaplin</b> Alex Cade-White	Laun 100	920-565-1021 x2114
<b>Athletic Director</b> April Arvan	Chase 110	920-565-1000 x2327
<b>Senior Associate Director of Athletics</b> Aaron Aanonsen	Wehr Center Athletic Office	920-565-1024 x2172
<b>Student Success &amp; Engagement Coach</b> Corey Roberson	Campus Center 108A	920-565-1043 x2510
<b>Student Success &amp; Engagement Coach</b> See Tho	Campus Center 107C	920-565-1043 x2508

<b>Director of Student Athlete Development</b> Leslie Laster	Campus Center 105B	920-565-1043 x2507
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Lakeland University faculty, staff and students who have questions regarding CSAs should contact the Director of Safety & Security at 920 565-1000 x2501 or email questions to [Clery@lakeland.edu](mailto:Clery@lakeland.edu)

**Voluntary Confidential Reporting**

If you are the victim of or witness to a crime, you may still choose to make a report and request that it remain confidential. The purpose of such a report is to comply with your wish to keep your identity confidential, while also providing information to help ensure the future safety of yourself and others on campus. An individual’s request regarding the confidentiality of reports of sexual assault or harassment will be considered in determining an appropriate response; however, such requests will be considered in the dual contexts of the University’s legal obligation to ensure a working and learning environment free from sexual assault and harassment and the due process rights of the accused to be informed of the allegations and their source. Some level of disclosure may be necessary to ensure a complete and fair investigation, although the University will comply with requests for confidentiality to the full extent as possible. Using the information provided in the confidential report, the University can keep an accurate record of: the number of incidents involving students, employees, and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and alert the university community of potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the university.

**Confidential Reporting for Students**

If a student would like the details of an incident to be kept confidential, the student may speak with the Dean of Students, Director of Residence life, on- campus counselors, campus health services, campus Chaplin, a victim advocate, off-campus local rape crisis counselors, domestic violence resources, or members of the clergy/chaplains who will maintain confidentiality except in extreme cases of immediacy of threat or danger, abuse of a minor, or as otherwise required by law.

Students may access a Victim Advocate and/or campus counselors in the LU Student Health services department. Contact information for confidential resources may be found at <http://lakeland.edu/Campus-Life/safety-and-security>.

## **Confidential Reporting for Employees**

If an employee would like the details of an incident to be kept confidential, the employee may discuss the matter confidentially with the Employee Assistance Program, the Director of Counseling, off-campus local rape crisis counselors, domestic violence resources, or members of the clergy/chaplains who will maintain confidentiality except in extreme cases of immediate threat or danger, abuse of a minor, or as otherwise required by law. Employees may also access the Employee Assistance Program. Contact information for confidential resources may be found at Human Resource office.

## **Pastoral and Professional Counselors**

Campus “Pastoral Counselors” and “Professional Counselors,” when acting as such are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, the University encourages Professional Counselors; if and when they deem it appropriate, to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual crime statistics.

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

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

## **Procedures Encouraging Prompt Reporting of all Campuses and Centers**

All faculty, staff, students, and visitors are encouraged to report all crimes and safety and security related incidents to the Lakeland University Safety and Security Department or the jurisdictional law enforcement department in a timely manner by dialing “**9-1-1**”. By promptly reporting crimes, it will ensure inclusion in the annual crime statistics and will aid in providing timely warning notices to the community, when appropriate.

To report a crime or suspicious activity, please contact **Safety and Security** at **920-565-1126**. If it is an emergency that requires police, fire or EMS personnel to respond, please dial “**911**” from any campus phone.

**Central Wisconsin Center (Wisconsin Rapids)**

500 N. 32<sup>nd</sup> Street, Wisconsin Rapids, Wisconsin 54494

If you need to report a crime or emergency at the Wisconsin Rapids Center, you can contact the Wisconsin Rapids Police Department by dialing 911 in an emergency or dial 715 423-4444 in a non-emergency situation. There are no Safety and Security Officers are present at the Wisconsin Rapids Center, please report all crimes to the Grand Rapids Police Department.

**Chippewa Valley Center**

770 Scheidler Road, Chippewa Falls, WI 54729

If you need to report a crime or emergency at the Chippewa Valley Center, you can contact the Chippewa Falls Police Department by dialing 911 in an emergency or 715 723-4424 in a non-emergency situation. You can also contact the Chippewa Valley Technical University Safety and Security office at 715 833-6670.

**Fox Cities Center**

2320 Industrial Drive, Neenah, WI 54956

If you need to report a crime or emergency at the Fox Cities Center, you can contact the Neenah Police Department by dialing 911 in an emergency or dial 920 886-6000 in a non-emergency situation. There are no Safety and Security Officers are present at the Fox Cities Center, please report all crimes to the Neenah Police Department.

**Milwaukee Center**

9000 W. Chester St. Milwaukee WI 53214

If you need to report a crime or emergency at the Milwaukee Center, you can contact the Milwaukee Police Department by dialing 911 in an emergency or dial 414 302-8000 in a non-emergency situation. There are no Safety and Security Officers are present at the Milwaukee Center, please report all crimes to the Milwaukee Police Department.

**Lakeland University Aviation Center**

N6187 Resource Drive, Sheboygan Falls, WI 53085

If you need to report a crime or emergency at the Lakeland University Aviation Center, you can contact the Sheboygan County Sheriff's Department by dialing 911 in an emergency or dial 920 459-3111 in a non-emergency situation. There are no Safety and Security Officers are present at the Aviation Center, please report all crimes to the Sheboygan County Sheriff's Department.

**Green Bay Campus**

2601 Development Drive, Green Bay, WI 54311

If you need to report a crime or emergency at the Green Bay Center, you can contact the Green Bay Police Department by dialing 911 in an emergency or dial 920 448-3200 in a non-emergency situation. There are no Safety and Security Officers are present at the Green Bay Center, please report all crimes to the Green Bay Police Department, Brown.

**Madison Campus**

1650 Pankratz Street, Madison, WI 53704

If you need to report a crime or emergency at the Madison Center, you can contact the Madison Police Department by dialing 911 in an emergency or dial 608 266-4887 in a non-emergency situation. There are no Safety and Security Officers are present at the Madison Center, please report all crimes to the Madison Police Department.

**Lakeland University Japan Campus**

5-7-12 Shinjuku, Shinjuku-ku, Tokyo, 160-0022 Japan

If you need to report a crime or emergency at the Japan Campus, you can contact the Tokyo Police Department by dialing 110 in an emergency or dial +81 3 3346 0110 in a non-emergency situation. There are no Safety and Security Officers are present at the Japan Campus, please report all crimes to the Shinjuku Police Station.

**Sheboygan Main Campus**

W3718 South Drive Plymouth, WI 53073

If you need to report a crime or emergency at the Main Campus, you can contact the Sheboygan County Sheriff's Department by dialing 911 in an emergency or 920 459-3111 in a non-emergency situation. You can also contact the Lakeland University Safety and Security office at 920 565-1126.

If you are unsure whether what you have witnessed or experienced is a crime, please contact the Safety and Security Department and we will assist you with your situation. As stated earlier, it is imperative that all crimes get reported in an accurate and timely manner to the Safety and Security Department or the local police agency.

**Services and Reporting Options for Victims**

Students and employees who experience sexual assault, domestic violence, dating violence, and/or stalking have many options and services available to them on and off campus, including mental health counseling, victim advocacy, off-campus legal assistance, and access to the criminal and campus disciplinary systems. Services are available to victims regardless of their choice to report the incident to law enforcement, and most are available at no charge.

**Procedures for Reporting**

Lakeland University encourages victims of sexual assault, domestic violence, dating violence and stalking to report the incident immediately to Campus Safety & Security at (920) 565-1126 or contacting law enforcement by dialing 911. In addition, individuals may also report sexual assault, domestic violence, dating violence and stalking to the Dean of Students, Title IX Coordinator, Director of Residence Life or Success and Engagement Coaches. The Dean of Students is responsible for coordinating the institution's compliance with Title IX.

A victim has the right and is encouraged to notify the appropriate law enforcement agency to report sexual assault, domestic violence, dating violence and stalking. Victims also have the right to be assisted by campus safety & security in notifying law enforcement if the victim chooses, and to decline to notify both campus safety & security and law enforcement officials. If the crime occurred on Lakeland University property, Sheboygan County Sheriff's department has jurisdiction on the campus. If the crime occurred off campus, the victim can notify the appropriate local law enforcement agency with jurisdiction at the location of the crime. Campus Safety & Security will assist the victim in identifying the correct law enforcement agency and will assist the victim in reporting it to that agency. Victims have the right to NOT notify law enforcement or report the crime if they so choose.

If you choose to report to Campus Safety & Security, Law enforcement will be notified as well as the Dean of Students Office, the Title IX Coordinator, and Residence Life Student Conduct coordinator. Lakeland University will investigate for a hostile environment and, to the extent possibly pursue disciplinary action against the accused. The Dean of Students Office and Title IX Coordinator are compelled to investigate all reports of sexual violence, and will do so "on notice" of a hostile environment.

We know that many student victims do not feel comfortable talking to law enforcement, campus administrators, professors, or advisors. The campus provides training and information to these staff members. Healing can look different for everyone. Additional services, including confidential options, are available to victims, both on and off campus.

**For criminal reporting: Sexual Assault, Domestic Violence, Dating Violence and Stalking can be reported to Campus Safety & Security as well as Law Enforcement:**

Director of Campus Safety & Security David Simon Jr. W3745 North Drive Brotz Hall North Entrance Rm#19

Sheboygan County Sheriff's Department  
525 N 6th St, Sheboygan, WI 53081

**For student campus assistance and investigations of student code of conduct violations: incidents can be reported to the Dean of Students Office and Director of Residence Life/Conduct Coordinator:**

Dean of Students Bryan Bain  
N8315 West Drive, Campus Center Rm#108B

Director of Residence Life/Conduct Coordinator James Bajczyk  
N8315 West Drive, Campus Center Rm#107A

**For employee campus assistance, including options/services, available accommodations, rights, and information regarding the right to notify or to decline to notify law enforcement: please contact Human Resources:**

Office of Human Resources  
W3718 South Drive WA Krueger Lower Level Rm#16

**For investigations of Title IX violations sexual assault is considered a form of sexual harassment and violation of Title IX and can be reported to the Dean of Students Office:**

Dean of Students Bryan Bain Title IX Coordinator  
N8315 West Drive, Campus Center Rm#108B

**If you do choose to report, 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 you were wearing at the time, a record of threatening text messages and e-mails, and bodily fluids).
- Although it is best not to shower, even if you have showered and changed clothes, you can still file a police report and/or get a medical exam.
- Campus officials are required to provide you with information about your options and assist you in making contact with law enforcement personnel if you request it.
- Filing an official police report will generally involve an interview with a law enforcement officer or an investigating officer. The Dean of Students and or the Title IX Coordinator.

## **II. Department Authority**

The LU Office of Safety and Security is located in the Lower Level of Brotz Hall W3745 North Drive, north entrance room 19. The department provides security services to the Lakeland community by foot and vehicle patrol 24 hours a day, 7 days a week. A Director, three full time & eight part time professional armed staff officers staff the Office of Safety and Security. LU Safety and Security Professional Staff officers are not sworn officers therefore the department does not have arrest powers. But officers are trained and can respond to any safety or security concerns of the Lakeland Community.

They are trusted with the responsibility of making sure federal, state, and local laws, as well as university policies and procedures are followed and enforced. If any offenses involving university rules and regulations are committed by a LU student, and or personnel LU Campus Safety & Security may generate a report and refer the individual to Student Conduct or Human Resources.

All victims of crimes as well as witnesses are encourage to report crimes to the Safety and Security Department, law enforcement agency or CSA's (Campus Security Authority). Prompt response can ensure the future safety of the victim and the Lakeland University community.

## **Working Relationship with Law Enforcement Agencies**

The LU Campus Safety & Security Department maintains a close working relationship with the Sheboygan County Sheriff's Office. The LU Safety & Security staff occasionally works with other law enforcement agencies. LU Safety & Security respond regularly to the scene of incidents that occur in and around the campus geographical area. The LU Safety & Security Office works closely with agencies when incidents arise that require joint investigative efforts, resources, crime related reports and exchange of information, as deemed necessary. Currently, there is no memorandum of understanding between the Lakeland University and Sheboygan County Sheriff's Office that addresses the investigation of alleged criminal incidents. The University anticipates establishing one in the future.

## **III. Timely Warning Crime Alerts**

### **Purpose:**

The purpose of this policy is to outline procedures Lakeland University, will use to issue Timely Warning Notices in compliance with the Clery Act. Lakeland University is comprised of, Sheboygan Main Campus, Madison Campus, Green Bay Campus, Japan Campus, Milwaukee Center, Fox Cities Center, Chippewa Valley Center, Central Wisconsin Center, and Aviation Center.

### **Procedures:**

A Timely Warning Notice will be issued in the event any Lakeland University Campuses or center(s) receive notice of an alleged Clery Act reportable crime (identified below) occurring on campus, on public property within or immediately adjacent to one of the campuses of Lakeland University, or in or on non-campus buildings or property controlled by Lakeland University, where the University determines, in its judgment that the allegations present a serious or continuing threat to the Lakeland community. For purposes of this policy, "timely" means as soon as reasonably possible, after an incident has been reported to the Campus Safety & Security Department, one of the Campus Security Authorities (CSAs) identified by each Campus, or jurisdictional law enforcement agency. The Lakeland University Director of Campus Safety & Security or his/her designee, the Executive Administrator(s) i.e. Dean of Students or his/her designee, and the Vice President/CFO or his/her designee, impacted by the reported crime, are responsible for determining whether to issue a Timely Warning Notice.

Whether to issue a Timely Warning Notice is determined on a case-by-case basis for Clery Act reportable crimes such as: **Murder, Forcible Sex Offenses, Non-Forcible Sex Offenses, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Domestic Violence, Dating Violence, Stalking and Hate Crimes**, as defined by the Clery Act. Timely Warning Notices also may be issued for other crimes as determined necessary by the Director of Campus Safety & Security, Senior Administrator(s) or Dean of students. Lakeland University will issue a Timely Warning Notice even if insufficient information is available if it is likely that there is an ongoing threat to the Lakeland community.

The above individuals determine if an alert should be sent and are the senders of the notices. In determining whether to issue a Timely Warning Notice, the responsible individuals described above will consider any factors reflecting on whether the reported crime represents a serious or continuing threat to the Lakeland community, including, but not limited to, (a) the nature of the incident; (b) when and where the incident occurred; (c) when it was reported; (d) the continuing danger to the Lakeland community; and (f) the amount of information known by the Lakeland University Campus Safety & Security department. Lakeland University will follow its Emergency Notification procedures upon the confirmation of a significant emergency or dangerous situation (including a Clery report-able crime), involving an immediate threat to the health or safety of students or employees occurring on Lakeland property or adjacent to.

The attached Timely Warning Notice Decision Matrix & Timely Warning Notice Determination Form will be used in the decision making process to document the decision to alert or not to alert the community. Once completed the form and any and all information related to the decision making process should be forwarded to the Director of Campus Safety & Security and will be maintained by Lakeland University Campus Safety & Security department for a seven year period.

Timely Warning Notices (Crime Alerts) will be distributed in various ways. A communications system for mass notifications is used to notify students and employees by way of mass e-mail. Information can also be provided on the Lakeland University website at <http://today.lakeland.edu> alerts posted on bulletin boards throughout Lakeland Campus. The particular circumstances will determine the method of notification. Generally, notification will occur through the mass e-mail system to all Lakeland students and employees.

The Timely Warning Notice will typically include, to the extent known, the date, time and nature of the offense, a brief overview of its particular circumstances, a physical description of the offender(s), law enforcement's immediate actions, a request and method for witnesses to contact local law enforcement or Campus Security and where applicable and appropriate, cautionary advice that would promote safety. In no instance will a Timely Warning Notice include the **name of the victim or other identifying information about the victim**. In developing the content of the Timely Warning Notice, Lakeland University Campus Safety & Security will take all reasonable efforts not to compromise on-going law enforcement efforts. Lakeland University Campus Safety & Security will document and retain the justification for determining whether to issue a Timely Warning Notice for a seven year period.

Anyone with information about a serious crime or incident is encouraged to report the information to the Lakeland University Campus Safety & Security by phone at 920 565-1126 or from campus phone at ext. 1126 and in person at W3745 North Drive Rm#19. If a report is made to other Lakeland University official(s), those officials will immediately notify Lakeland University Campus Safety & Security.

### Timely Warning Responsibility Chart

TYPE OF SYSTEM	PRIMARY MESSAGE CREATOR	BACKUP MESSAGE CREATOR	AUTHORITY FOR APPROVING & SENDING MESSAGES	PRIMARY MESSAGE SENDER	BACKUP MESSAGE SENDER
<b>MASS EMAIL BLAST</b>	Director of Security Dean of Students Vice President/CFO	Director of Security Dean of Students Vice President/CFO	Director of Security Dean of Students Vice President/CFO	Director of External Relations	Manager of Communication
<b>LAKELAND TODAY</b>	Director of Security Dean of Students Vice President/CFO	Director of Security Dean of Students Vice President/CFO	Director of Security Dean of Students Vice President/CFO	Manager of Communication	Coordinator of Interactive Communication
<b>BILL BOARDS</b>	Director of Security Dean of Students Vice President/CFO	Director of Security Dean of Students Vice President/CFO	Director of Security Dean of Students Vice President/CFO	Safety & Security Office  Residence Life	Safety & Security Office  Residence Life
<b>LOCAL MEDIA</b>	Director of External Relations	Director of External Relations	President Vice President/CFO	Director of External Relations	Manager of Communication

***\*Note: This chart reflects what office/who is responsible for what part of the Timely Warning Notice distribution.***

#### **IV. Access to Campus Buildings and Residence Halls**

Access to campus buildings and grounds is a privilege extended to students, faculty, staff and guests. The University encourages an open environment with limitations to assure adequate protection of all members of the University community. Except for residence halls, most campus facilities are normally open when classes are in session or by special arrangements. A few University facilities are available to the general community. Building hours are monitored and buildings are secured at the end of the regular academic day or business hours. Individuals who wish to access LU buildings or property after the regular academic day or business hours must make prior arrangements with the appropriate personnel.

During non-operational hours, University buildings are locked. Only faculty, staff, and students with proper authorization and identification are permitted into buildings.

All residence halls are equipped with an automated card access control system on the exterior doors that are used by students to enter their assigned residence hall. Guests and other visitors may visit residence halls as long as they have been authorized by their host who resides in that residence hall. The exterior security doors to all student residence halls are to remain locked 24 hours a day.

#### **V. Security and the Maintenance of Campus Facilities**

The Department of Facilities Management maintains the university buildings and grounds with a concern for safety and security. Facilities Management staff inspect campus facilities regularly, promptly make repairs affecting safety and security, and responds to reports of potential safety hazards, such as lights that are out and broken windows and door locks. The LU Safety & Security department assists Facilities Management by reporting potential safety and security hazards.

Lakeland University ensures security is the appropriate consideration as we address and schedule routine maintenance and make upgrades to facilities.

Campus Safety Officers conduct routine patrols of campus to assess and monitor security related matters for campus buildings and property, routine maintenance and make upgrades to facilities. Landscaping and outdoor lighting on campus is designed for security and to provide pedestrians peace of mind. Similarly, sidewalks and other pathways are designed to provide well-traveled lighted routes from parking areas to buildings and from one building to another.

Under the directions of the LU Campus Safety and Security office, officers continually conduct security inspections to ensure campus lighting is adequate and the landscape is properly organized. Safety and Security Officers conduct routine checks of lighting on campus during regular assigned night duties. If lights are out or very dim, Safety and Security Officers will initiate a service request for Maintenance personnel to respond and repair the problem.

Unsafe facility conditions or those that raise concern for personal safety and property protection, including inoperable locking hardware, exterior lighting, steps, handrails, unsecured equipment,

and hazardous conditions, should be reported by calling Facilities Management at 920 565-1031 x2267, or from a campus phone x2267 during normal business hours. If unsafe facility conditions exist outside of normal business hours please contact LU Safety & Security office at 920 565-1126.

Security procedures used in the Maintenance of residential facilities involve coordination between the Office of Residence Life and Maintenance. Students must report any maintenance concerns to their Resident Assistant (RA) or Residence Hall Director (HD) who will in turn put work orders into the reporting system. In times of emergency, members of the Maintenance Department have permission to enter rooms to make the necessary repairs. Off campus maintenance personnel are not allowed access to residential halls without permission from the Director of Facilities, Director of Residence Life or Director of Safety & Security.

## **VI. Missing Student Notification Policy and Procedures**

In accordance with the Higher Education Opportunity Act, P.L.110-315, (2008) “Missing Student Notification Policy and Procedures,” each university that provides on-campus housing must establish a “missing student notification policy” for students who reside in on-campus housing. Each resident will be notified of the Missing Student Notification Policy and Procedures during residence hall check-in as well as in this Student Handbook.

Each student who resides in on-campus housing has the option to identify an individual to be contacted by the University, no later than 24 hours after they should be considered “missing.” Lakeland University has developed a policy for notifying the designated emergency contact should a resident student be considered “missing.” A “missing student” is defined as any currently registered residential student who has not been seen by friends, family members, instructors or staff for a reasonable length of time, whose absence is contrary to his/her usual pattern of behavior or where there is reason to believe that unusual circumstances may have contributed to their unexplained absence. Such circumstances could include, but are not limited to, a suspicion that the missing person may be the victim of foul play, has a known medical condition (physical, emotional or mental), has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or is believed to have been with, or associating with, persons who there is reason to suspect may pose a danger to the student’s welfare.

If anyone in the Lakeland University community has reason to believe that a student is missing, the dean of students, student success and engagement coaches, the director of residence life or the director of safety and security must be notified.

Upon receiving notification, the office of the dean of students, department of safety and security, residence life, student success and engagement coaches and other appropriate university staff will make reasonable efforts to locate the student to determine his or her whereabouts and to inquire regarding the well-being of such student.

Reasonable efforts to locate a student may include, but are not limited to, checking his/her residence hall room, reviewing class schedule, talking with roommate(s) and friends, ID card access, locating their vehicle, visiting last known locations and contacting any known cell phone

number. As a part of the investigation, the university reserves the right to make contact with emergency contacts to help assist in determining the whereabouts and well-being of the missing student.

Each student, through the completion of the insurance information and emergency contact form has the option of identifying a person or persons who will be contacted in the event that student is determined missing.

Once a student meets the definition of “missing,” the following is to occur:

1. The director of safety and security will initiate a campus investigation into the student’s whereabouts. If it is determined that a residential student is considered missing, a missing person report is to be generated.
2. The Dean of Students or a designated Student Success and Engagement Coach will notify the confidential contact person or persons of the missing student within 24 hours of determining the student missing. This confidential contact person has been designated by the student through their (1) Missing Student Notification Form, or in the absence of such, (2) Insurance Information and Emergency Contact Form. If neither form were made available to the university, the relative with the closest family relationship to the student as determined by their official application will be contacted.
3. If the student is under the age of 18 and not an emancipated individual, the university will notify a custodial parent or guardian no later than 24 hours after that individual is determined to be missing.
4. Jurisdictional law enforcement is be contacted no later than 24 hours after the resident is determined to be missing.
5. In cases where the university has reasonable cause to suspect that a missing student may be at personal risk due to circumstances discovered in the investigation, the director of security or in his/her absence, the dean of students, will initiate contact with law enforcement authorities requesting appropriate assistance. In such situations, the university reserves to itself the right to determine when law enforcement authorities should be advised of concerns for the safety and well-being of a missing student.

**Lakeland University Contact for Missing Student:**

<b>Office</b>	<b>Campus Address</b>	<b>Phone Number</b>
Campus Safety & Security	W3745 North Drive RM LL 019	920 565-1126
Office of Dean of Students	N8315 West Drive Rm 108B	920 565-1043 x2505
Residence Life Director	N8315 West Drive Rm 107A	920 565-1042 x2465

## **VII. Sex Offender Registration**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. A list of registered sex offenders in Wisconsin is available at <http://offender.doc.state.wi.us/public/>.

You can look up each Lakeland University Center's zip code (page 2, 3 of this publication) by visiting: [http://www.mongabay.com/igapo/zip\\_codes/WI.htm](http://www.mongabay.com/igapo/zip_codes/WI.htm)

For information regarding the sex offender status of any individual employed or enrolled at the Lakeland University, please telephone or email the Lakeland University Safety and Security Department and request this information from the Director of Safety and Security, **920-565-1000 ext. 2501** or email questions to [Safety&Security@lakeland.edu](mailto:Safety&Security@lakeland.edu).

## **VIII. Security Awareness Education Programs for Students and Employees**

During new student orientation, new students are informed of services offered by the Lakeland University Safety and Security Department. Students are told about crime on campus and in the surrounding area. Crime prevention programs and sexual assault prevention programs are offered on a continual basis. Periodically during the academic year the Safety and Security department, in cooperation with the Health, Counseling Departments and other University organizations, present crime prevention awareness sessions on sexual assault, alcohol abuse, date rape drugs, theft prevention, etc.

Periodically during the academic year the LU Campus Safety & Security Office, in cooperation with other University organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), drug abuse, theft, and vandalism, as well as educational sessions on personal safety, relationship violence, and residence hall security.

In addition to these presentations, information is disseminated to students, staff, and faculty through crime prevention awareness materials, posters and displays. Articles and advertisements in University communications and student publications are also used to share awareness information about security.

The LU Campus Safety and Security Office works closely with the University which has the needs of first year students as a primary focus. The Residence Life Director annually educates and notifies the campus community of content and updates to Lakeland University Student Code of Conduct.

A common theme of all awareness and crime prevention programs is to encourage students, staff, and faculty to be aware of their responsibility for their own security and the security of others. When time is of the essence, information is released to the University community through Crime

Alerts posted prominently throughout campus on billboards, through computer memos sent over the University's Email system, and posted on the University's webpage <http://today.lakeland.edu/>.

The Student Development Office, Health Services, and the Athletic Department provide programmatic initiatives in order to reduce the consumption of alcohol and other drugs by Lakeland students. All Residential Assistants (RA) at the start of the school year receive training on alcohol and drug prevention. Also, at the beginning of the year these issues associated with alcohol and drug use, dating violence, sexual assaults, and other transitional issues are talked about.

These are some of the following Alcohol, Drug, Sexual Assault and Wellness Programs presented by the Health and Wellness Department during 2015:

- Summer orientation with parents and students
- RA training (drugs/alcohol, depression/anxiety, emergency procedures)
- International orientation (discuss services and relationship issues)
- Non-traditional orientation
- Discuss services with athletic staff
- Visit Core I classes and learning skills classes to discuss services and stress management
- Calendar Clinic (help students organize their schedules and time management tips)
- Advisor Roundtable discussion regarding homesickness
- Programs in residence halls to discuss services available and stress management
- Wii Tournament/Wellness program (self-care and drinking in moderation)
- Depression Screening Day
- R&R Tuesdays (Rest and Relaxation—meditation/relaxation group)
- Visualization/stress management with athletic teams
- Sexual Assault program with Safe Harbor
- Resolution Solution (help students set goal for the New Year)
- Relaxation Vacation (area professionals offer free services to students—chiropractor, massage therapist, aromatherapies, dietician, acupuncturist, psychologist, fitness students)
- News Flush (monthly bathroom flyer to educate students of services on campus and discuss topics such as homesickness, SAD, anxiety, depression, ways to stay healthy, spring break tips, etc.)
- Light therapy demos for SAD
- Anxiety Screening
- Alcohol Screening
- Eating Disorders Screening
- Healthy relationships
- Safe Sex (skit)

## **Safety Programs**

### **Safe Ride / Walk Program**

Safety and Security Officers are available 24 hours a day to provide a safe ride or walk to and from any location on the Lakeland campus. Please be patient when calling as officers may be busy handling other calls.

### **Campus News letters**

LU Safety & Security office, works in conjunction with Health Services and produces a monthly newsletter call the “The Flush”. Safety tips are shared as well as preventive and proactive tips are shared to reducing the possibilities of being a victim of a crime.

### **Spring Break Safety**

LU Safety & Security holds an educational table every spring break during a workshop to educate students traveling for spring about the dangers of drugs, how to protect themselves from being drugged, and victims of other crimes such as sexual assaults.

## **IX. Crimes Involving Students or Student Organizations at Non-Main Campus Locations:**

Lakeland University operates no off-campus housing nor does it recognize any off-campus student organizations that would require the university to monitor off-campus criminal activity. However the intuition does have a policy in place that addresses off campus reporting. It can found at <http://lakeland.edu/Campus-Life/safety-and-security#more-info-about-off-campus-reporting-of-behavior>

## **X. Alcohol and Drug Policies**

### **Policies**

Lakeland University is concerned about the way in which alcohol use and abuse can affect the individual student, the rights and wellbeing of non-users, and the primary mission of the University. The primary objectives of the Lakeland University Alcohol Policy and procedure are as follows:

1. To promote among the students of the University community responsible behaviors and attitudes as they relate to the use of alcohol.
2. To inform students about the possible effects of the use of alcohol upon themselves and the community.
3. To offer help to individual students experiencing special difficulties associated with the use of alcohol.

4. To promote an understanding of reasonable behaviors and attitudes related to complying with state law, local ordinances, and University regulations as they apply to the use of alcohol on the Lakeland campus.
5. To offer alcohol-free living environments and activities for those who desire them.

The University strives to establish and maintain an alcohol and drug-free working environment. Consequently, unlawful manufacturing, distribution, possession, or use of illicit drugs or alcohol is prohibited in, on, or about the University property, or as part of a University sponsored activity by the student or employees.

The University expects all faculty, staff, and students to report to work and/or class free of the influence of alcohol or controlled substances and to obey related laws established and enforced by legal authorities (local, state, or federal). A member of the University community who violates the provisions of this policy or whose behavior is impaired by alcohol or agents that are controlled substances may be required to complete an appropriate rehabilitation program, at their own expense, as a condition to remain a part of the University. Violations of this policy may also result in disciplinary action, up to and including suspension or termination of employment/enrollment from the University and referral for prosecution.

Employees and students who need help in dealing with alcohol or drug related problems are encouraged to seek professional assistance. The Human Resources Coordinator or Student Development Office will help in locating agencies that can provide assessments or interventions for the individual seeking help. An employee or student's conscientious effort to discontinue the use or abuse of alcohol or the use of controlled substances will be encouraged and handled confidentially.

The University recognizes the abuse of alcohol or the use of controlled substances impairs the proper performance of duties and responsibilities. Steps taken to deter the abuse of alcohol or use of controlled substances include a continuing program of education emphasizing the facts about drugs and alcohol, referral on a non-punitive basis to support services (medical or personal counseling), and a campus climate where personal influence deters drug use and alcohol abuse.

This policy expresses Lakeland University's commitment to the maintenance of a drug and alcohol free workplace. All students and employees, as members of the Lakeland University community, must abide by the terms of this policy and report their own conviction under criminal drug statute for violations incurring either in the workplace or during the performance of University-related duties within five (5) days after conviction, as required by the Drug-Free Workplace Act of 1988. Within 30 days of receiving notice of a conviction, the University will take appropriate action, such as employee termination, student dismissal, or required participation in a drug abuse assistance or rehabilitation program.

## **Alcoholic Beverages Policy**

The use of alcoholic beverages by members of the Lakeland University community is at all times subject to the alcoholic beverage laws of the State of Wisconsin and the Town of Herman. The consumption of alcoholic beverages is allowed only in the 1862 Lounge and in the apartments (South, Morland, Kurtz, and Hill) and suites (Friedli, Hofer) where the occupants and guests are of legal drinking age. Alcohol is not allowed in Krueger, Muehlmeier, Brotz and Grosshuesch Halls.

## **Wisconsin Drinking Age Laws**

It is unlawful for any person:

- under the age of 21 years to have alcoholic beverages in his/her possession;
- to sell, give, serve or permit alcoholic beverages to be served to a person under 21 years of age;
- to misrepresent or misstate his or her age or that of any other person for the purpose of selling, giving, serving or delivering any alcoholic beverages to a person under 21 years of age.
- The following specific policies address involvement with alcohol:
- Individuals prohibited from the use of alcoholic beverages, as defined by State of Wisconsin law, cannot drink while on the campus of Lakeland College or at college-sponsored off-campus events.
- Individuals and members of organizations who are permitted to drink must refrain from sharing, purchasing, serving or encouraging the consumption of alcoholic beverages by underage individuals whether in privacy of one's residence unit or in other college facilities. Individuals who furnish alcohol to minors will face legal and/or college disciplinary action.
- Individuals are encouraged to look out for the safety and welfare of their college peers and/or guests who have been drinking. This includes providing transportation to/from off-campus events or to a hospital, or calling the Department of Safety and Security, the Sheriff or medical personnel.
- Social events where alcohol is consumed must have a proportionate amount of non-alcoholic beverages and food such as chips, crackers, popcorn, etc.
- With the issuance of a party permit or scheduling of event, individuals or organization shall be assigned responsibility to implement a system to ensure that underage individuals are not served alcoholic beverages.
- Inappropriate behavior stemming from the consumption of alcohol shall result in conduct action against the individual or organization.

## **Open Containers**

It is unlawful for any person to consume or have in his or her possession any alcoholic beverages in an open container on any campus street, sidewalk or undesignated area.

### **Alcohol Violation Sanctions**

Typically, the following sanctions apply, but the college reserves the right to enact any sanction it deems appropriate for any offense, up to and including immediate suspension or dismissal for the first offense.

Sanctions for First Offense include:

- A formal warning in the student's judicial file
- Community service
- Counseling
- Educational sanction

Sanctions for Second Offense include:

- Any of the above sanctions
- Disciplinary probation
- Behavioral contract
- Alcohol assessment with the campus counselor
- Contact of listed emergency contact
- Suspension from residence halls or apartments

Sanctions for Third Offense include:

- Any of the above sanctions
- Appearance before the campus judicial board
- Alcohol assessment with an AODA counselor at the student's expense
- Contact of listed emergency contact

Sanctions for Fourth Offense include:

- Any of the above sanctions
- Immediate suspension or dismissal from Lakeland College

### **Drug Violation Sanctions**

Typically, the following sanctions apply, but the college reserves the right to enact any sanction it deems appropriate for any offense, up to and including immediate suspension or dismissal for the first offense.

Sanctions for first or second offenses may be one or several of the following:

- A Residence Life administrator will have a discussion and educate the student regarding the effects of drugs, what this violation means, how drug use/abuse affects his/her living environment, and its impact on academic achievement
- Disciplinary Probation
- Counseling
- Notification of listed emergency contact by the director of residence life
- Additional sanctions as determined by the administrator handling the case
- Opportunity to reside in the apartments or Brotz Hall may be denied
- Drug assessment with an AODA counselor
- Loss of housing and/or suspension from the college

Sanctions for third offenses or more may be one or several of the following:

- Any of the above sanctions
- A meeting with the director of residence life or the campus Judicial Board with the recommendation of immediate suspension or expulsion
- Reinstatement to the college contingent upon satisfactory completion of an evaluation and treatment by a recognized AODA treatment facility. There must be written documentation from the facility to accompany an on-campus interview with the director of residence life

### **Possession, Use and Sale of Illegal Drugs**

The possession and use of controlled substances by members of the Lakeland University community must at all times be in accordance with the provisions of Wisconsin law and the rules of Lakeland University. No person may possess substances regulated by state or federal law unless dispensed and used according to prescription or otherwise authorized by law. Students who possess, use, or deliver controlled substances not dispensed and used according to prescription are subject to disciplinary action up to and including expulsion from the University.

Disciplinary action against a student under University rules does not preclude the possibility of criminal charges against the individual. The filing of criminal charges similarly does not preclude action by the University. The use of illegal drugs and the misuse of prescription and other drugs pose a serious threat to the physical and mental wellbeing of students, faculty, staff, visitors, and guests of the University.

Please refer to the Lakeland University Alcohol and Controlled Substances Policy listed in this document for further information.

### **Alcohol/Drugs on College-Funded Trips**

Students are not allowed to transport or consume alcoholic beverages or illegal drugs while participating in any college-sponsored trips or events. This policy applies to travel in college, public, rental or personal vehicles. Students must adhere to college policy while representing the institution at off-campus events.

### **Health Risks Associated with Use/Abuse of Alcohol and Drugs**

Please refer to the below website to view the health risks associated with the use/abuse of alcohol and drugs

<http://www.drugabuse.gov/drugs-abuse>

## **Alcohol/Drug Abuse Area Resources Campus**

- Health Center nurse 920-565-2385
- Counseling Center 920-565-2387 or 920-565-2388
- Dean of students 920-565-2505

## **Off-Campus Support Groups**

- Alcoholics Anonymous (AA) – A self-supporting fellowship based on a twelve step program that offers individual sponsorship, group meetings and membership to anyone interested in dealing with an alcohol problem.
- Al-Anon – Families and friends of alcoholics receive help through this fellowship which explores the twelve steps and the experiences of others.
- Narcotics/Marijuana Anonymous – Individuals addicted to drugs may obtain help through this group. It offers a fellowship with other recovering addicts who help each other remain abstinent.

## **Off-Campus Community Resources**

Mental health services are generally covered by student or family health insurance plans.

- Aurora Behavioral Health Services 920-451-5548
- Aurora Sheboygan Clinic (Sheboygan) 920-457-4461
- Nett-Work Family Counseling (Sheboygan) 920-451-6908
- Genesis Behavioral Services (Sheboygan) 920-457-7802
- Agnesian Healthcare – Behavioral Health Services (Fond du Lac) 800- 922-3400

## **XI. Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

The university insists on an environment free from implicit and explicit coercive sexual behavior used to control, influence or adversely affect the well-being of any member of our community. Sexual harassment of any individual is inappropriate and unacceptable and will not be tolerated. Lakeland University will not tolerate any form of sexual misconduct, coercion, intimidation or harassment as set forth in the Sexual Misconduct, Sexual Harassment, and Sexual Assault policies in this handbook. This policy prohibits any forms of behavior that violate Title IX of the Education Amendments of 1972 and Title VII of the Civil rights Act of 1964. Such behavior also requires the university to fulfill certain obligations under the Violence Against Women Reauthorization Act Of 2013 (VAWA) and the Clery Act.

**Sexual Assault: Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- a) **Rape** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- b) **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.
- c) **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d) **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

**VAWA (Violence Against Women Act) Offenses**

**Domestic violence:** Is defined as a felony or misdemeanor crime of violence committed

- a) By a current or former spouse or intimate partner of the victim;
- b) By a person with whom the victim shares a child in common;
- c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence:** Is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. 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. For the purposes of this definition:

- a) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- b) Dating violence does not include acts covered under the definition of domestic violence.

**Stalking** Is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- a) Fear for the person’s safety or the safety of others; or
- b) Suffer substantial emotional distress.

**For the purposes of this definition:**

- **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.

The university prohibits sexual assault, sexual exploitation, intimate partner violence, stalking, sexual or gender-based discrimination, complicity in relation to a prohibited behavior, and retaliation (collectively known in this policy as “prohibited conduct).” All aforementioned forms of prohibited conduct will not be tolerated.

**Policy Application and the University Community**

This policy affects all relationships within the university community to include:

- Faculty and staff conduct towards students;
- Student relationships with other students;
- Supervisor conduct towards employees;
- Student conduct toward faculty or staff;
- Conduct between members of different sexes;
- Conduct between members of the same sex; and
- Conduct towards a person outside of the university community (third parties).

This policy refers to prohibited conduct committed by or against students, employees or third parties when:

- The prohibited conduct occurs on university grounds or other property owned by the university;
- The prohibited conduct occurs in the relation to university employment, educational program or activity including university sponsored study abroad, research, on-line, or internship programs;

- The prohibited conduct occurs outside of the university but has the potential to have adverse effects for students, employees or third parties while on university grounds or other property owned by the university.

## **Prohibited Conduct Definitions (Violence Against Women Act Offenses)**

### **Sexual Assault**

Sexual assault is a violent and aggressive act, not a sexual act. Sexual assault, as defined by Wisconsin law, is classified into four degrees. First degree sexual assault is defined as sexual contact or intercourse without consent and causing great bodily harm or impregnation, by use or threat of use of a dangerous weapon, or aiding or abetting by one or more persons and having sexual contact without consent by use of force or violence. Second degree sexual assault is defined as sexual contact or intercourse with another person without consent by use of threat of force or violence causing injury, illness or disease. Also sexual contact or intercourse with a person known to be intoxicated, unconscious or known to suffer from diminished capacities of any sort that temporarily or permanently render the victim incapable of understanding the consequences of such conduct. Third degree sexual assault is rape. Wisconsin law defines third degree sexual assault as sexual intercourse with a person without any consent of that person and can occur if a person intentionally ejaculates, urinates or defecates upon any part of the body clothed or unclothed of the victim if such an act was intended for purposes of sexual degradation, sexual humiliation, sexual arousal or sexual gratification.

First, second and third degree sexual assaults are all felonies. Fourth degree sexual assault, a misdemeanor, is defined as sexual contact with a person without that person's consent. Sexual intercourse includes oral and anal copulation as well as penetration of genital or anal openings by a foreign object, including a finger.

### **Lakeland Definitions of Sexual Assault**

**Non-Consensual Sexual Intercourse (or Rape):** Non-Consensual Intercourse includes vaginal penetration however slight, by a penis, object, tongue or finger, anal penetration by a penis, object, tongue or finger, and oral copulation, mouth to genital contact or genital to mouth contact without a non-intoxicated, verbal, mutually understood "Yes".

**Non-Consensual Sexual Contact:** Non-Consensual Sexual Contact is any touching however slight, with any object or body part, of the breasts, buttocks, groin, or genitals, or touching either directly or through clothing, or making a person touch another or himself/herself on the breasts, buttocks, groin or genitals, either directly or through clothing without consent. Non-Consensual Sexual Contact includes disrobing or exposure of breasts, buttocks, groin or genitals to any individual".

Sexual violence (including sexual assault and intimate partner violence), coercion, stalking or harassment against individuals, whether perpetrated by a stranger or acquaintance, whether occurring on or off campus, and whether directed against a member of the campus community or someone outside of the campus community, will not be tolerated and can lead to university judicial action and/or civil action.

The 1992 Amendment to the Higher Education Reauthorization Act requires institutions to develop educational programs to promote awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses. Lakeland University recognizes the need to promote such

educational programs and has completed programs through new student orientation and special workshops held on campus.

Lakeland University recognizes that sexual assaults occur under a variety of circumstances:

- On- and off-campus
- Between people of any gender or sexual identity
- Between students, faculty, staff, alumni, and visitors to campus
- Where consent existed and was retracted
- When impaired by drugs and/or alcohol
- Regardless of any previous interaction or relationship

No matter what the circumstances, sexual assault violates the standards of acceptable behavior at Lakeland University.

If you are a victim of sexual assault or misconduct, please refer to the on campus resources and reporting options or off campus resources and reporting options in this handbook.

### **State or Federal Law**

Lakeland University students are subject to the Wisconsin State Statutes and federal laws regarding sexual assault and other sex related acts. Violation of state or federal laws may also be a violation of the university discipline code. Wisconsin law makes no reference to the gender of either the victim or assailant. Sexual assault victims of any gender are protected by the law, and assailants of any gender can be prosecuted under the law. For more information, review the Wisconsin State Statute 940.225 at <http://docs.legis.wisconsin.gov/statutes/statutes/940/II/225>.

### **Consent**

Consent in Wisconsin law provides that consent can be given by an adult through express words or overt actions by a person competent to give consent. A person who suffers from a mental defect, diminished capacity or who is unconscious is presumed incapable of giving consent. Lakeland University requires that consent to sexual activity be informed, freely and actively given through the demonstration of clear words or actions that a person has indicated permission to engage in mutually agreed-upon sexual activity. Consent cannot be obtained by force which includes the use of physical violence, threats, intimidation or coercion.

Consent cannot be obtained by taking advantage of the incapacitation of another where the person initializing sexual activity should have reasonably known the other lacks the ability to make rational and informed judgements whether to engage in sexual activity. A person who has consumed alcohol or drugs may be incapacitated yet appear lucid and conscious so sexual activity following the ingestion of drugs or alcohol should be exercised with caution. Consenting to one type of sexual behavior does not constitute consent for other types of sexual behavior. Additionally, previous consent to sexual activity does not constitute consent to future sexual activity. Consent can be withdrawn at any time through clear words or actions that an individual wants the sexual activity to cease. Once consent is withdrawn the sexual activity is to cease immediately.

Having sex with someone you know to be, or whom you should know to be, beyond their normal cognitive function is a violation of the Lakeland University Sexual Assault policy. Sexual contact with anyone who is inebriated, mentally or physically impaired, or incapacitated is a violation of this policy. People who have a mental illness or deficiency, are unconscious for any reason, or are physically unable to communicate are assumed to be incapable of giving consent.

If any of the following are present, consent cannot be given:

- Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.
- Threats are words or actions that would compel a reasonable person to engage in sexual activity.
- Intimidation is an implied threat that may cause another to have reasonable fear for their safety.
- Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another.
- Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand “who, what, where, when or how” of their sexual interaction). Sexual activity with someone who you should know to be, or based on the circumstances should reasonably have known to be, mentally or physically incapacitated constitutes a violation of this university policy. University policy covers a person whose incapacity results from mental disability, sleep, involuntary physical restraints, or from taking drugs or other substances.

Silence or inaction does not constitute consent. Returning to an individual’s room, being physically aroused, removing clothing, stroking, assenting to dancing or cuddling, obtaining contraception, etc. do not constitute consent.

### **Sexual Exploitation**

Sexual Exploitation occurs when a person takes a non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to, invasion of sexual privacy; prostituting another person; non-consensual recording or broadcast of sexual activity; going beyond the boundaries of consent (such as letting another person hide in a closet to watch another having consensual sex; engaging in voyeurism; knowingly transmitting and STD or HIV to another person; exposing one’s genitals in non-consensual circumstances – inducing another to expose their genitals; and sexually-based stalking, bullying and cyber-bullying.

### **Intimate Partner Violence (Dating Violence, Domestic Violence)\***

Intimate Partner Violence includes any act 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 person cohabitating with or has cohabitated with the complainant as a spouse or intimate partner.

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 complainant. The existence of such relationship shall be based on a consideration of three factors:

- (1) The length of the relationship;
- (2) The type of relationship; and
- (3) The frequency of interaction between the persons involved in the relationship.

Any form of physical abuse or intimidation is prohibited in the residence halls or anywhere on Lakeland University campus. Physical abuse and/or intimidation may invoke the Wisconsin Mandatory Arrest Law for domestic abuse.

This law provides for the mandatory arrest of any person who commits any of the following acts against a roommate or former roommate:

- Intentional infliction of physical pain, injury or illness.
- Intentional impairment of physical condition.
- Sexual assault.
- A physical act or threat in conjunction with a physical act, that may cause the other to reasonably fear imminent engagement in the conduct described above.

\*Intimate Partner Violence includes “dating violence” and “domestic violence,” as defined by the Violence Against women Act (VAWA), 2006.

### **Stalking**

Stalking occurs when a person engages in a course of conduct directed at a specific individual under circumstances that would cause a reasonable person to fear bodily injury or substantial emotional distress. Stalking is a form of violence and includes, for example, repeatedly contacting, following or threatening a romantic partner, friend or stranger without his/her permission. Stalking creates fear and often, but not always, is a form of sexual violence. Examples of stalking behavior include physically approaching another, emailing, texting, Facebook, phoning, leaving gifts or gathering personal information about a person from others. These actions, when they are without the person’s consent, are considered personal violations and can result in student disciplinary action and/or legal consequences.

**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.

### **Sexual or Gender-Based Harassment**

Sexual harassment includes “unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault or acts of sexual violence.” (US Dept. of Ed. Office for Civil Rights)

Gender-Based Harassment includes harassment based on an individual’s gender, gender identity, gender expression or sexual orientation that (a) is sufficiently severe, persistent, or pervasive to limit a student’s or employee’s ability to benefit from an educational program; (b) explicitly or implicitly affects and individual’s academic or work performance, or creates an intimidating, hostile, or offensive academic or work environment, or (c) submission to or rejection of such advances, requests or conduct either explicitly or implicitly is made a term or condition of employment or education.

### **Hostile Environment**

The US Department of Education and Justice defines “hostile environment” as an occurrence where a student is sexually harassed and the harassing conduct is sufficiently serious to deny or limit the student’s ability to participate in or benefit from the program. In determining whether this denial or limitation has occurred, Lakeland will examine all relevant circumstances from an objective and subjective perspective, including:

- The type of harassment (verbal or physical);
- The frequency and severity of the conduct;
- The age, gender, and relationship of the individuals involved;
- The setting and context of the alleged harassment;
- Whether similar incidents occurred at the university;
- And other relevant factors.

Sexual harassment can be blatant or it can be subtle. Blatant forms of sexual harassment include sexual propositions, inappropriate touching, unsolicited embracing or kissing, assault or rape. Subtle forms of sexual harassment include inappropriate or obscene jokes, intimate language, (i.e. dear, sweetheart, darling) and leering.

All forms of sexual harassment cause the victim to feel uncomfortable or threatened by the behavior and may cause the victim to fear retaliation such as the loss of a job or poor grades. Sexual harassment often involves a power differential, and in such cases the appearance of mutual consent does not necessarily constitute a defense against the charge of sexual harassment. Conduct toward a peer, which creates a coercive situation, may also be grounds for a sexual harassment complaint, even if a power differential does not exist.

It is expected that all interpersonal relationships of students will be characterized by honesty, equality, open communication and the nonviolent resolution of conflict. Any form of sexual contact without the free and full consent of both parties is completely contrary to these values and to other values that respect the integrity of the human person.

**Retaliation**

Retaliation relates to any negative action taken against an individual for reporting any prohibited conduct. Retaliation includes threats, intimidation, harassment or any other action that may discourage a reasonable person from engaging in the reporting of prohibited conduct. Retaliation may take place and initiated by either the respondent or complainant in a case.

**Complicity**

Complicity is any act taken to aid, abet, facilitate, promote or encourage a prohibited act by another person. Students who have been sexually assaulted, have witnessed a sexual assault or have information about a sexual assault are urged to report the information to either the Lakeland University Safety and Security Office, the Division of Student Affairs and/or to the Sheboygan County Sheriff's Department.

**Sexual Misconduct Statement**

Sexual Misconduct is a range of behaviors including, but not limited to, sexual assault, intimate partner violence, stalking, retaliation, sexual or gender-based harassment, complicity and sexual exploitation.

Students are subject to criminal statutes and various federal, state and local laws which regulate civil conduct including sexual misconduct. The university is also bound by and supports all applicable laws. Consistent with the law, Lakeland University intends to provide a safe and welcoming campus environment. Lakeland University offers educational programming to promote the awareness of rape, acquaintance rape and other sexual misconduct, forcible and non-forcible. There are instances where conduct or content of a sexual nature is a legitimate part of the curriculum, whereas the same conduct might be sexual harassment in another context. Reports of sexual misconduct will be taken seriously and incidents will be responded to appropriately and in a timely manner. To report issues of sexual misconduct please contact the Department of Safety and Security at 920-565-1126 Ext. 1126 or 920-565-1000 Ext. 2501.

**Reporting and Confidentiality**

The university will make all reasonable attempts to protect the identity of persons who report having been victims of sexual assault, intimate partner violence, stalking, retaliation, sexual or gender-based harassment sexual exploitation.

However, reporting individuals should be aware the university's confidentiality and mandating reporting obligation in order to make informed choices. Some "confidential employees" such as the campus counselors, nurse, and chaplain offer confidentiality without the obligation to inform anyone unless the complainant wants them. Other university faculty and staff (including RA's) are considered "mandatory reporters" and must inform a Title IX team member who, in turn, must contact law enforcement for reporting purposes. It is important to note the complainant still maintains the choice of whether or not to file an official report with law enforcement or campus officials. If a complainant decides not to pursue the case through the university's judicial system, the university may decide to pursue the case if they feel campus safety is a concern. Information regarding the case will only be told to individuals with a need to know.

## **Reporting Sexual Misconduct**

If you feel you are or have been the victim of sexual misconduct do the following;

- Report the incident to a confidential employee if you wish to report sexual misconduct and wish to have the incident remain confidential (see “confidential employees” above);
- Report the incident to a mandatory reporter (see “mandatory reporters” above);
- If applicable do not disturb any evidence; this includes bedding, clothing, e-mails, texts or anything that may assist in an investigation.
- If sexually assaulted, do not shower, wash yourself or go to the bathroom.
- If sexually assaulted, it is advised to get medical attention at a hospital.

A report is written documentation of sexual misconduct. It contains the name(s) of those involved, the date, time, and location of the alleged event, and a short written summary of what is reported. When a student reports a violation of the sexual misconduct policy, the university will investigate by conducting a Title IX investigation. Title IX Investigators will consult with the complainant about his/her wishes regarding how the investigation should proceed; the university may investigate even if the complainant decides not to participate. There is no statute of limitations for university complaints, but potential complainants are reminded that the university’s ability to effectively investigate complaints can be impaired or negated as time passes.

All reports of sexual assault/misconduct are kept on file in the Office of Residential Life and/or the Security Office for use in reports required by the Clery Act (<http://www.lakeland.edu/security>). Reported incidents will show up in campus crime statistics without identifying the person filing the report.

## **Reporting Your Assault to Lakeland University**

### **Confidential Employees**

Lakeland University provides trained counselors on campus who can legally keep a sexual assault discussion confidential. This gives the complainant complete control over her/his decisions to report. The counselors will supply students with information regarding medical care and counseling options.

Business hours (M-F, 8:00 a.m.-4:30 p.m.) call 920-565-1034 Ext. 2387 or 920-565-1034 Ext. 2388

(Counselors are not required by law to file an official report if told about sexual misconduct/assault unless the individual is under the age of 18).

Nights and weekends (after 4:30pm) call Campus Safety and Security who can put you in contact with an on-campus or off-campus counselor.

### **Mandatory Reporters**

If the accused is a Lakeland University student, the following individuals will ensure a report is filed when they are made aware of an alleged incident of sexual assault/misconduct.

- Lakeland University security officers (920-565-1126 Ext. 1126)
- The Title IX Coordinator
- The Division of Student Affairs (920-565-1043 Ext. 2505)
- Any residence life staff member
- Any university employee including faculty and staff (mandatory reporter) who has the ability to address the incident.

The above listed people are required to file a report if told about sexual misconduct/assault. After hours, these individuals can be reached through campus safety and security (920-565-1126 Ext. 1126).

Students should report the assault to the Department of Safety and Security at 920-920-565-1000 Ext. 2501 or 920-565-1126 Ext. 1126. The Department of Safety and Security can help a student report an assault to the police. Informing the Department of Safety and Security does not obligate a student to pursue action through the police or the campus judicial process. The information remains confidential until a victim chooses to pursue conduct or police action. Campus resources for supporting victims and survivors include the Health Center and the campus chaplain. If the victim is below the age of 21 and the consumption of alcohol by that minor was involved, the university will not pursue conduct action against the victim in relation to the alcohol consumption.

After a sexual assault, get to a safe place. Call someone. Don't be alone. Seek immediate medical treatment for injuries and to preserve evidence. Aurora Sheboygan Memorial Medical Center in Sheboygan has specially trained staff specializing in assisting victims of sexual assault. The victim of an assault can receive treatment to injuries and preserve evidence at no cost to the victim, which means a claim does not need to be filed with your medical insurer. The medical center, in cooperation with Safe Harbor, offers safe and caring services to survivors of rape, incest, sexual abuse and sexual assault. Medical center staff will help victims and survivors soon after an assault or even weeks later. The Sexual Assault Response Team can be contacted at 920-451-5553.

Lakeland University will assist the victim of a sexual assault in changing their academic and living situation upon request, if the change is deemed necessary. Lakeland's disciplinary proceedings are detailed in this Student Handbook. Both the accuser and the accused will be informed of the outcome of any institutional disciplinary proceeding brought about from an alleged sexual misconduct incident. Lakeland University may impose sanctions ranging from probation to permanent dismissal from the university.

### **Off Campus Resources and Reporting Options**

#### **Legal Options:**

Report incident to the Sheboygan County Sheriff's Department. Sexual assault is a criminal matter and may be reported to the Sheboygan County Sherriff's Department. Lakeland University recommends that students filing a complaint have a staff member or a friend with

her/him when a report is made to the police. There are trained counselors on campus and off campus that can assist students with their decision to report an assault to the police. File a civil suit against the assailant. A civil suit against the accused is another legal option. Consultation with a lawyer is the best way to learn about this option.

### **Support Resources:**

Seek medical treatment. If you have been assaulted, you may need medical treatment for injuries and may wish to have potential physical evidence collected. The Aurora Memorial Medical Center in Sheboygan has a confidential physical and emotional support team to be with you at the hospital.

Transportation to the hospital can be provided by security or arranged with the guidance of a full time staff member of the residence life staff if needed. Contact Safe Harbor. Safe Harbor provides prevention education, crisis intervention, and ongoing outreach services to empower individuals, families and the community to live lives free of domestic abuse and sexual assault. They can be reached at 1-800-499-7640, or their 24hr Crisis Line at 920-452-7640. Contact the National Sexual Assault Hotline 800.656.HOPE or 800-656-4673.

### **Rights of Students Involved in Sexual Assault and Sexual Misconduct Investigations**

#### **Rights of the complainant in a sexual assault or sexual misconduct investigation:**

- To have complaints of sexual misconduct/assault investigated by the university.
- To report the violation directly to the sheriff's department, with or without assistance from campus personnel.
- To consult with a Title IX representative as a resource for understanding these rights and the investigation process.
- To be notified that at any point during the complaint/investigation/judicial process, the complainant has the right to have the support of any willing member of the Lakeland University community, friend, faculty or staff of her/his choice. The support person has the right to attend any function at which the complainant's presence is required. The support person may not be a licensed attorney nor associated with law enforcement.
- To not have prior sexual history admitted during any disciplinary hearing. History of prior complaints, investigations, and cases may be admitted in an investigation and/or appeal.
- To be notified of the outcomes, if any, in the case.
- To appeal a disciplinary decision by a hearing officer(s) as outlined in the appeals section of the Student Handbook.
- The university, upon written request, will disclose to the alleged victim of a crime of violence or non-forcible sex offense, the report on the results of any discipline hearing conducted by the university against the alleged perpetrator of such crime or offense. If the alleged complainant is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this paragraph.

**Rights of the accused in a sexual assault or sexual misconduct investigation:**

- To be informed in writing of the accusations/complaints that were filed.
- To be informed that complaints of sexual misconduct/assault will be investigated by the university, and possibly by the sheriff's department.
- To consult with a Title IX representative as a resource for understanding these rights and the investigation process.
- To be notified of available counseling, mental health or student services for students accused of sexual assault, both on or off campus.
- To be notified that at any point during the complaint/investigation/judicial process, the accused has the right to have the support of any willing member of the Lakeland University community, friend, faculty or staff of her/his choice. The support person has the right to attend any function at which the accused's presence is required. The support person may not be a licensed attorney nor associated with law enforcement.
- History of prior complaints, investigations, and cases may be admitted in an investigation and/or appeal.\*
- To refuse to answer some or all questions. The investigation will proceed with or without the participation of the accused.
- To be notified of the outcomes, if any, in the case.
- To appeal a disciplinary decision by a hearing officer(s) as outlined in the appeals section of the Student Handbook.

\*Typically students seek support from a faculty or staff member who knows them well, such as an advisor or mentor. Faculty or staff who agree to serve in this role may wish to consult with others who have supported students in previous judicial situations. Consult with a Title IX representative for more information.

**Protection from Retaliation**

All members of the Lakeland community have the right to raise concerns or a complaint of sexual misconduct without fear of reprisal. Retaliation against any person related to any portion of this policy may result in severe disciplinary action ranging from probation to dismissal. Retaliation against any person who is the alleged victim of sexual misconduct is strictly prohibited.

**Title IX Investigation Procedure**

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.” (Title IX of the Educational Amendments of 1972) The above mandates equal access to educational benefits, programs and activities regardless of gender. Sexual misconduct, by nature, can negatively affect the educational

environment for the victim, thus becoming a Title IX issue. Once a responsible employee has either actual or constructive notice of sexual misconduct, Lakeland University is to:

- Take immediate and appropriate steps to investigate the incident, and
- Take prompt and effective action to:
  - a) Stop the harassment
  - b) Remedy the effects
  - c) Prevent the recurrence

The university will investigate all alleged incidents of sexual misconduct this it has been made aware or has reason to know to protect the safety of the community. The university will undertake an investigation even in those cases which the complainant chooses not to cooperate. In those cases, the university may be limited in their scope of the investigation due to the availability of information. Anonymous reports can be used to initiate the student conduct process and employee conduct investigations.

A representative for the Division of Student Affairs is the designated Title IX Coordinator at Lakeland University. The Title IX Coordinator will oversee sexual misconduct complaints. Once a report is received by the Title IX Coordinator and it is felt a Title IX investigation is warranted, the following process generally will ensue:

- a) Title IX Coordinator will appoint Title IX Investigator and Title IX Advocate(s);
- b) Initial meeting with each party separately to review rights and options;
- c) No-contact agreements issued if appropriate;
- d) Complainant and respondent have the option of being advised by a Title IX Advocate or advisor of their choice to assist with the process;
- e) Title IX Coordinator(s) will meet with the complainant and respondent in order to interview complainant, respondent and possible witnesses and gather facts concerning the complaint.
- f) Title IX Investigator(s) will forward a report of the found facts to a Title IX Adjudicator to determine the level of responsibility warranted by the facts.
- g) Determination of responsibility and, if warranted, appropriate sanction along with appeal information will be delivered to both complainant and respondent.

Ideally, Title IX investigations are to take no longer than sixty (60) business days. However, circumstances may necessitate an investigation to surpass this ideal. If a case is taking longer, both the complainant and respondent will be notified of the delay. Through the campus judicial system, mediation will not be appropriate even on a voluntary basis, between the victim and alleged perpetrator. The university will take appropriate interim steps to protect the victim, such as moving the alleged victim or perpetrator to a new class or a different residence hall, providing counseling services to the complainant or prohibiting the accused student from attending class for a period of time.

## **Possible Sanctions and Outcomes**

If it is more likely than not sexual misconduct has happened (in other words, if the preponderance of the evidence suggests that misconduct occurred), a student will be found responsible for violating university policy and the judicial officer will consider a range of sanctions and outcomes.

Disciplinary sanctions possible for a person found responsible of violating the sexual misconduct policies include but are not limited to: Suspension, expulsion, probation, counseling, deferred suspension, removal from campus, and/or any combination of the previous when determining an appropriate sanction, the investigating officers will consider the sexual assault or misconduct complaint as a whole, the disciplinary background of the accused individual(s), and the totality of the circumstances, including the nature of the conduct and the context in which it occurred. A broader explanation of the university's judicial system can be found in a subsequent section of this Student Handbook.

### **If the accused is a faculty or staff member**

In cases of personal harassment, sexual assault or sexual misconduct by staff or faculty members toward students, the case is referred to the Department of Human Resources. To file a complaint off - campus, please contact the Sheboygan County Sheriff's Department, or the appropriate jurisdictional law enforcement department where your campus or center resides in.

## **Primary Prevention Programs**

Lakeland University takes the safety of our students seriously, and we strive to create an environment and culture that is safe for all community members and is respectful of all individuals. Sexual assault domestic violence, dating violence and stalking prevention and response are crucial to creating a safe, supportive, and healthy environment for students, faculty, and staff. The programming provided at LU includes such topics as sexual assault/sexual violence, domestic violence, dating violence, and stalking. The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end sexual assault/sexual violence, sexual harassment, dating violence, domestic violence, stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome;
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Our educational programming consists of primary prevention and awareness programs for all incoming students and new employees. Our programming starts with orientation in early fall for

incoming students and their parents and extends into the first semester and beyond. It also includes and ongoing awareness and prevention campaigns for continuing students.

Our educational initiatives do the following:

- Make clear that LU policy prohibits the crimes of domestic violence, dating violence, sexual assault and stalking;
- Make available the definitions of domestic violence, dating violence, sexual assault and stalking according to Wisconsin law;
- Define consent and identify what behavior and actions constitute consent in reference to sexual activity and in accordance with LU Policy. As well as define the State of Wisconsin definition of consent.
- Provide descriptions and examples of safe and positive options for bystander intervention 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 recognition of situations that may involve potential harm, knowledge of institutional structures and cultural conditions that may facilitate violence, identification of barriers to intervening and safe, effective intervention strategies, and action to intervene;
- Provide information on risk reduction, including options designed to decrease perpetration and bystander in-action and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that may facilitate violence.

**Provide information regarding:**

- Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in Reporting and Resources);
- Confidentiality and privacy as it relates to investigation and assistance. (As described in Reporting and Resources);
- Existing counseling, health, mental health, victim advocacy, and other services available for victims, both within the institution and in the community (described in “Resources for Assistance”);
- Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Student Conduct Procedures”).

Lakeland University uses the following components and strategies in its various gender based prevention efforts. Further clarification of each of these components is listed below.

- Contains clear definitions of sexual assault, dating violence, domestic violence and stalking as crimes and violations of the student conduct policy with penalties;
- Promotes the interruption of myth acceptance by providing education about sexual assault,

- dating violence, domestic violence and stalking from a factual base;
- Provides information about on- and off-campus services available to victims and how they can access those services, which can include but do not require the option to report;
- Provides information about local, state, and national victimization data;
- Encourages safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or to intervene;
- Provides information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
- Prevention programs are informed by research or assessed for value, effectiveness, or outcome in order to ensure that the effort is an appropriate strategy to prevent sexual assault, domestic violence, dating violence and/or stalking.

## **PREVENTION AND ONGOING AWARENESS PROGRAMS**

**<http://lakeland.edu/Campus-Life/safety-and-security#more-info-about-sexual-assault-awareness>**

- Summer orientation with parents and students
- International orientation (discuss services and relationship issues)
- Sexual Assault program with Safe Harbor
- Healthy relationships
- What is “Consent” program with Health Services, Safe Harbor, Assistant District Attorney & Campus Safety & Security
- Online Harassment training & Title IV Training module
- Campus Safety and Security education information and brochures
- Health Services education information and brochures

### **Faculty & Staff**

- Employee Orientation
- Online Harassment training
- Title IV Responsible Employee Training module
- VAWA Training

### **Protecting Yourself**

- ✓ Make sure you have consent. Consent is a clear and freely given yes, not the absence of a no.
- ✓ Learn more about how men and women communicate differently.
- ✓ People who are incapacitated by alcohol or drugs cannot give consent.

- ✓ Practice being assertive about your boundaries.
- ✓ If saying NO or STOP is too hard, consider creating a diversion so you can leave.
- ✓ Get your own drinks; don't let someone continually fill your cup or leave your drink unattended.
- ✓ Set your drinking limits before you start drinking.
- ✓ Enroll in a self-defense program that focuses on sexual assault.
- ✓ Know your own sexual limit.
- ✓ People who use sexually callous language are more likely to perpetrate sexual assault.
- ✓ The next time you hear yourself or someone else talking about women or sex in a derogatory way, stop. Speak up when you hear others talk this way— this includes all genders.
- ✓ Understand and respect your partner's limits.
- ✓ Listen to or read the story of a survivor.

**Signs of an abusive dating partner may include someone who:**

- ✓ Calls you names, insults you or continually criticizes you.
- ✓ Does not trust you and acts possessive or jealous.
- ✓ Tries to isolate you from family or friends.
- ✓ Monitors where you go, who you call, and who you spent time with.
- ✓ Controls finances or refuses to share money.
- ✓ Punishes you by withholding affection.
- ✓ Expects you to ask permission from them to do what you want to do.
- ✓ Threatens to hurt you, your family, your pets, or your belongings.
- ✓ Threatens and/or uses a weapon against you.
- ✓ Has ever forced, coerced, or manipulated you into having sex or performing sexual acts.
- ✓ Accuses you of cheating or is often jealous of your relationships with others of the opposite gender.
- ✓ Traps you in your apartment or residence hall room and keeps you from leaving.
- ✓ IMs, Facebook messages, tweets, text messages, and/or calls you obsessively to find out where you are and what you are doing.

- ✓ Remember, sexual assault, domestic violence, dating violence, and stalking are never the fault of the victim; they are the choice of the perpetrator.

## **Bystander Intervention**

Many people think that sexual assault, domestic violence, dating violence and stalking only affects the victim, when in fact entire families, friend groups, and communities are hurt. Campuses suffer from the victims who drop out, the perpetrators who cause fear, and the learning environments that are disrupted.

It's simple. If you see something, say something.

- ✓ If you witness something happening, step in. Create a diversion. Even if you don't know the person who looks in trouble, you can still help. Get him or her to a safe place. Remember, it's your campus, so it's your business.
- ✓ If you see someone who looks to be in immediate danger, call 911 or Campus Safety & Security.
- ✓ You can be a bystander even after an assault. Learn what options rape victims have available to them on this campus and be supportive of their choices.
- ✓ Listen for rape jokes and sexist language. You don't have to laugh or participate.

## **Facts (not myths) about sexual assault, domestic violence, dating violence and stalking:**

- ✓ Most victims of sexual assault know the perpetrator (boyfriend/girlfriend, classmate, someone they meet at a party, coach, etc.) On University campuses, only about 10 percent of assaults are committed by a stranger.
- ✓ Sexual assault is defined by the perpetrator's failure to get consent, not the victim's resistance or attempts to fight back.
- ✓ An absence of a NO does not mean YES. If you aren't sure, ask.
- ✓ Sexual assault, domestic violence, dating violence, and stalking are more commonly perpetrated by men against women, but men can be victims too and NOT all men are perpetrators. In fact, men can take an active role in preventing these crimes by asking for consent, intervening in harmful situations, and learning more about how they could help a victim.
- ✓ The majority of sexual assaults on University campuses occur when victims are incapacitated primarily due to alcohol. Know your limits and respect the limits of others.
- ✓ Perpetrators often use alcohol to incapacitate their victims.

- ✓ Stalking can take many forms and does not always have to be committed by a stranger. often, ex- boyfriends or ex-girlfriends continue to stalk after the relationship is over.
- ✓ The high rates of victimization experienced by both men and women, paired with acceptance of rape myths, contribute to campus environments wherein survivor are often estranged from their overall collegiate experience. Victims experience barriers to academic success, lower graduation rates, social isolation, and ongoing medical and mental health issues.

### **Sexual Harassment Statement**

The University insists on an environment free from implicit and explicit coercive sexual behavior used to control, influence or adversely affect the well-being of any member of our community. Sexual harassment of any individual is inappropriate and unacceptable and will not be tolerated. Sexual harassment includes sexual advances, requests for sexual favors and other physical conduct of a sexual nature when:

- Submission to or rejection of such advances, requests or conduct either explicitly or implicitly is made a term or condition of employment or education.
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual.
- Conduct, which has the purpose or effect of creating an intimidating, hostile, humiliating or sexually offensive educational, employment or living environment.

Sexual harassment can be blatant or it can be subtle. Blatant forms of sexual harassment include sexual propositions, inappropriate touching, unsolicited embracing or kissing, assault or rape. Subtle forms of sexual harassment include inappropriate or obscene jokes, intimate language, (i.e. dear, sweetheart, darling) and leering. All forms of sexual harassment cause the victim to feel uncomfortable or threatened by the behavior and may cause the victim to fear retaliation such as the loss of a job or poor grades.

Sexual harassment often involves a power differential, and in such cases the appearance of mutual consent does not necessarily constitute a defense against the charge of sexual harassment. Conduct toward a peer, which creates a coercive situation, may also be grounds for a sexual harassment complaint, even if a power differential does not exist.

Sexual harassment involves a wide range of behavior, from certain kinds of emotional and verbal abuse to physical assault. A victim or offender may be either a man or woman.

### **Discrimination and Harassment**

The University values a community atmosphere that is free from all forms of discrimination and harassment and will endeavor to prevent such based on race, color, creed, religion, gender, sexual orientation, national origin, age, disability, handicap, developmental disability, ancestry, marital status or military service.

For the purposes of University policy, the term harassment is defined as any verbal, written, electronic or physical conduct that a person knows or has reasonable grounds to know would intimidate, demean or degrade an individual's or group's character, self-worth or dignity. Behavior that will not be tolerated includes, but is not limited to, physical force or violence, stalking and threats.

### **Racial Harassment**

Racial harassment is any verbal or physical conduct that shows hostility or aversion toward an individual because of his/her race, color or ethnic origin, or that of his/her relatives, friends or associates. Furthermore, it has the purpose or effect of creating an intimidating, hostile or offensive work, academic or co-curricular environment; and/or has the purpose or effect of unreasonably interfering with an individual's work, University housing, academic or co-curricular performance or otherwise adversely effects on an individual's employment, academic or co-curricular opportunities. Examples of verbal racial harassment include, but are not limited to, the following: name-calling, racial slurs or epithets or "jokes" that demean or belittle a victim's color, culture, history or speech patterns (accent). Other examples of racial harassment include, but are not limited to, the following: when a person's body, possessions or dwelling place are threatened or violated.

### **Harassment on the Basis of Sexual Orientation**

Harassment on the basis of sexual orientation is defined as any verbal, written or physical conduct directed at a person or a group based on sexual orientation or perceived sexual orientation where the offensive behavior is intimidating, hostile, or demeaning or could or does result in mental, emotional or physical discomfort, embarrassment, ridicule or harm.

### **Sexual Harassment**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates intimidating hostile or demanding environment for an individual's a) academic pursuits, b) University employment, c) participation in activities sponsored by the University or organizations or groups related to the University or d) opportunities to benefit from other aspects of University life.

### **Reporting Suspected Sexual Harassment**

Any student with a sexual harassment concern or question, before filing a formal complaint, may contact the dean of students, student success & engagement coach, director of safety and security, or residence hall staff member for counsel and assistance.

Any individual, student or employee who believes that he/she may have experienced sexual harassment or who believes that he/she has observed sexual harassment taking place must report this information to one of the following officials:

- The director of human resources
- The senior director for student success and engagement
- The Department of Safety and Security
- The complainant's supervisor, when the supervisor is not the accused

Reports/complaints received in any of these offices in which the accused is an employee must, in turn, be immediately reported to the Human Resources office. Reports/complaints received by any of these offices in which the accused is a student, in turn, must be immediately reported to the senior director for student success and engagement, who will process such complaints according to University policy and procedure. Reports/complaints in which the accused is neither a Lakeland employee nor a student shall be processed consistent with any other complaint by notifying one of the reporting officials above, although the University reserves the right to alter or modify the procedures, in its sole discretion, in order to effectively handle these complaints.

## **Title IX Policy**

### **Title IX Cases Reported for-2015**

**2015:** There were ten Title IX Cases reported to the Main Campus and Zero Title IX Cases from the three campuses and five centers.

#### **I. Lakeland University Policy**

Lakeland University fully adheres to all federal and state civil rights laws banning discrimination at institutions of higher education. Lakeland University will not discriminate against any employee, applicant for employment, student or applicant on the basis of race, color, sex, pregnancy, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, gender, veteran or military status, predisposing genetic characteristics, domestic violence victim status, or any other protected category under applicable local, state or federal law.

Gender discrimination and sexual harassment are prohibited by Title VII of the Civil Rights Act of 1964 as amended and Title IX of the Education Amendments of 1972.

#### **II. Sexual Misconduct**

It is the philosophy of Lakeland University that every student, staff, and faculty has the right to study, work, and live in an environment which is not hostile, offensive, or threatening. Violation of the policy on sexual harassment or sexual misconduct will result in disciplinary actions, which could include, but is not limited to, probation, academic/resident hall suspension or expulsion, or employment suspension or termination.

## A. Definitions

1. Sexual misconduct offenses Include, but are not limited to
  - Sexual Harassment
  - Non-Consensual Sexual Contact (or attempts to commit same)
  - Non-Consensual Sexual Intercourse (or attempts to commit same)
  - Sexual Exploitation
  
2. Sexual Harassment is
  - Unwelcome, gender-based verbal or physical conduct that is,
  - Sufficiently severe, persistent or pervasive that it, has the effect of unreasonably interfering with, denying or limiting someone's ability to participate in or benefit from the university's educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.
  
3. Non-Consensual Sexual Contact is
  - Any intentional sexual touching,
  - However slight,
  - With any object,
  - By a person upon a person,
  - That is without consent and/or by force
  
4. Sexual Contact includes
  - Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.
  
5. Non-Consensual Sexual Intercourse is
  - Any sexual intercourse
  - However slight,
  - With any object,
  - By a person upon a person,
  - That is without consent and/or by force Intercourse includes vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.
  
6. Sexual Exploitation Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual

misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another student'
- Non-consensual video or audio-taping of sexual activity'
  
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting an STI or HIV to another student;
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

#### 7. Additional Applicable Definitions

- **Consent:** Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts. Consent can be withdrawn at any time.
  
- **Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent ("Have sex with me or I'll hit you. Okay, don't hit me, I'll do what you want.").
  
- **Coercion:** is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

The following types of misconduct have been arranged and defined by the State of Wisconsin statutes:

- Domestic Abuse/Violence: (State Statute 968.075)  
<http://docs.legis.wisconsin.gov/statutes/statutes/968/075>
  
- Stalking: (State Statute 940.32)  
<http://docs.legis.wisconsin.gov/statutes/statutes/940/11/32>

- Consent: (State Statute 940.225 (4))

<http://docs.legis.wisconsin.gov/statutes/statutes/940/11/225>

**NOTE:** There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced. In order to give effective consent, one must be of legal age.

Sexual activity with someone who one should know to be -- or based on the circumstances should reasonably have known to be -- mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a violation of this policy.

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).

This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another person is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/> Use of alcohol or other drugs will never function as a defense to a violation of this policy.

Policies apply to sexual misconduct that occurs both inside and/or outside a University program, if the conduct negatively affects a victim’s school experience or the overall school environment.

Examples include:

- An attempt to coerce an unwilling person into a sexual relationship
- To repeatedly subject a person to egregious, unwelcome sexual attention
- To punish a refusal to comply with a sexual based request
- To condition a benefit on submitting to sexual advances
- Sexual violence; intimate partner violence, stalking; gender-based bullying.

Examples also include:

- Unwelcomed physical touching
- Unwelcomed remarks about a person’s body of an employee asking for sexual favors with promise of a reward or punishment
- Sexually suggestive jokes or innuendos

- Sexual assault or coerced sexual activity
- Posting obscene remarks/images of another on social media sites

**Examples in a work, academic, or co-curricular environment include . . .**

*Sharon's supervisor kept asking her for a date. He said getting to know him better would improve her chances for a promotion. She felt uncomfortable and wished he would stop. She kept refusing him, but he wouldn't take 'no' for an answer.*

What should Sharon do?

She should go to her department head, dean, appropriate administrator, or any person listed in this brochure for assistance.

*Sue's coach promised her a starting position if she would have a sexual relationship with him.*

What should Sue do?

She should go to the Athletic Director, Senior Women's Administrator, or Success Coaches, for assistance.

*Cindy, a member of a student organization makes jokes about men's bodies during the weekly meetings. The male students in the organization are embarrassed by her remarks.*

What should the male students do?

Make it clear to Cindy that the remarks are offensive and should stop. If the remarks continue, they should go to the advisor of the student organization, the Success Coaches, or one of the individuals listed in this policy.

**C. Consensual Relationships and Consent**

Any physical/sexual behavior cannot be consented to under any of the following conditions if the person is:

- Under the influence of drugs or alcohol or
- A minor (age of consent in Wisconsin is 18 years of age), or
- Mentally impaired, or
- Bullied, coerced, or
- Threatened, or
- Asleep or unconscious.

### III. To File A Complaint

#### A. How to file a complaint

Complaints may be filed with the Title IX Coordinator, the Assistant Title IX Coordinator, or any university employee identified as a mandatory reporter. All sexual misconduct complaints made to mandatory reporters will be reported to the Title IX Coordinator staff.

Lakeland University encourages those who have experienced any form of sex discrimination/sexual misconduct to report the incident promptly, to seek all available assistance as described in this brochure, and to pursue University conduct charges and/or criminal prosecution of the offender. Lakeland University takes complaints very seriously and will work with victims to ensure their safety. Contact Campus Safety at (920) 565-1126 (Brotz Hall) and/or the Lakeland University Title IX Coordinator (see contact info below). You may also contact any of the offices listed below.

#### B. Title IX Staff

Questions about Title IX can be directed to the Title IX Coordinator or to the Office of Civil Rights (<http://www2.ed.gov/about/offices/list/ocr/index.html>) of the U.S. Department of Education. The Title IX Coordinator has an assistant coordinator to ensure there are no conflicts of interest when responding to complaints. The Title IX Coordinator staff is available to meet with students, faculty, and staff who believe sexual harassment or sexual violence has occurred. (If you are calling from an off campus phone dial 920-565-1000, then enter phone extension below.)

Person(s)	Phone	Office	Email
<b>Title IX Coordinator</b> Bryan Bain	920 565-1043 x2505	CC Rm 108B	BainBL@lakeland.edu

#### Assistant Title IX Coordinator

No one assigned as of date

#### C. Mandatory Reporters

Lakeland employees who are not employed as a counselor, health service provider, or chaplain, are considered mandatory reporters. A mandatory reporter must report all allegations of sexual misconduct to a member of the Title IX Coordinator staff.

#### D. Non-Mandatory Reporters

Students, faculty, and staff may wish to seek confidential assistance in dealing with a Title IX violation. The University has identified the following employees who will maintain confidentiality under the professional license or professional ethics necessary for performing their employed role at the University.

<u>Name</u>	<u>Phone Ext.</u>	<u>Office</u>	<u>Email</u>
<b>Director of Counseling Services</b>			
Dr. Cary Knier	2387	Brotz 26	knierca@lakeland.edu
<b>Campus Counselor</b>			
Alex Liosatos	2388	Brotz 25	liosatos@lakeland.edu
<b>Campus Chaplain</b>			
Alex Cade-White	2114	Laun 100	cadewhiteAJ@lakeland.edu
<b>Director of Health Center</b>			
Sherry Carstens	2385	Brotz 27	carstenssl@lakeland.edu

### **Complaint Process Overview**

These procedures apply to student, staff, and faculty complaints of sexual misconduct against other students, employees or third parties.

The University will respond to allegations of sexual misconduct, including taking interim measures such as a “no contact” order between the parties, interim suspension, room reassignment, academic accommodations and/or counseling. The University prohibits retaliation against reporting parties and anyone participating in an investigation. If an allegation of sexual misconduct involves an athlete, someone outside the athletic department oversees the grievance process. Mediation cannot be used for sexual harassment or non-consensual sexual contact/intercourse cases.

#### **A. Investigation**

Lakeland University will investigate all incidents of sexual misconduct of which it becomes aware, regardless of whether a complaint is filed. The Title IX Coordinator will appoint an investigator team. The investigation of a non-consensual sexual contact/intercourse allegation will proceed whether or not a related criminal matter is pending. The University will ask the reporting party and respondent(s) for a written acknowledgment of the incident(s).

Lakeland will inform reporting party that all investigations will be kept as private as possible and that information is disclosed only on a “need to know” basis. The University will explain to a reporting party that anonymity may limit the institution’s ability to investigate and respond. The University is obligated to investigate the matter to the best of its ability even if a reporting party asks the institution not to take any action.

In cases of alleged non-consensual sexual contact/intercourse, Lakeland will inform the reporting party of their right to file criminal charges. The University will not discourage reporting party from filing criminal charges.

The University will treat the parties equitably. For reports involving non-consensual sexual contact/intercourse, the University must notify the police. The University will emphasize the importance of seeking immediate medical attention for non-consensual sexual intercourse. Additional support agencies will also be offered to the reporting party and respondent(s).

The investigators will make a report to the Title IX Coordinator staff with an objective opinion as to whether it appears that a violation of the sexual misconduct policy occurred. The Title IX Coordinator will review the report and, when appropriate, refer the report to the student conduct system (for students) or Human Resources (for employees).

Members of the campus community should consult one of the appropriate policy documents below:

Students: For specific information about the grievance process consult the Student Handbook.

Employees: For specific information about the grievance process consult the Employee Handbook.

## **B. Interim Measures**

Options are available for avoiding contact with accused respondents, including taking interim measures such as a “no contact” order between the parties, interim suspension, room reassignment, academic accommodations and/or counseling.

## **C. Time Frame**

Lakeland will conduct a full investigation of complaints of sexual misconduct. In accordance with federal regulations, Lakeland will complete investigations within a 60-day time period. Both parties will be provided periodic updates during the grievance process. Both parties will be advised in writing of the outcome of a complaint once a decision has been reached. Either party may appeal the results of a hearing. Complaints may be resolved through formal or informal resolution procedures.

## **D. Hearing and Appeals**

Lakeland balances the rights of respondents with the reporting party’s Title IX rights in disciplinary hearings involving sexual misconduct. The standard used in disciplinary hearings related to sexual misconduct is preponderance of the evidence/what is more likely than not to have occurred.

Both parties will be given similar and timely access to any information that will be used at the hearing. Both parties will be given the same opportunity to present relevant evidence and witnesses, including character witnesses. Both parties will receive simultaneous written notice of the outcome of the hearing and of any appeal process.

Lakeland requires disclosure of any conflicts of interest between a party and the fact-finder or decision-maker at a hearing. Parties are prohibited from personally questioning each other at the hearings. Within the appeal process, both parties have the same appeal rights.

In cases of alleged sexual misconduct, Lakeland will disclose the results to both parties regardless of whether it concludes misconduct was committed. Lakeland will disclose to a victim of sexual misconduct any sanction imposed on the respondent that relates directly to the victim, such as a “no contact” order, transfer to different classes or reassignment/cancellation of housing, a suspension, or a termination.

Lakeland will follow up with reporting party to ask if they have experienced retaliation or any further incidents.

**V. Resources for Assistance**

Some health care and counseling services, available both on and off campus. (If you are calling from an off campus phone dial 920-565-1000, then enter phone extension below.)

<u>Name</u>	<u>Phone Ext.</u>	<u>Office</u>	<u>Email</u>
<b>Director of Counseling Services</b>			
Dr. Cary Knier <b>Counselor</b>	2387	Brotz 26	knierca@lakeland.edu
Alex Liosatos <b>Campus Chaplain</b>	2388	Brotz 25	liosatos@lakeland.edu
Alex Cade-White <b>Director of Health Center</b>	2114	Laun 100	cadewhiteAJ@lakeland.edu
Sherry Carstens	2385	Brotz 27	carstenssl@lakeland.edu

**Off Campus Resources**

Safe Harbor 24/7 free crisis line	(920) 452-7640
SANE (Sexual Assault Nurse Examiners) 24/7 free and confidential medical exams	(920) 451-5553
Sheboygan County Mental Health Mobile Crisis Center	(920) 459-3151
Astorp Sexual abuse center 24-hour crisis line	(920) 921-7657
National Sexual Assault Hotline	1-800-656-4673
U.S. Dept. of Education Office of Civil Rights	(312) 730-1560

## A. University Provided Assistance

Counseling and Campus Ministry staffs stand ready to assist any member of the University community who needs help dealing with a sexual misconduct situation (see contact information above).

Benefit eligible employees also have an opportunity to utilize the Employee Assistance Program (EAP). All EAP services are free, confidential, and available to all covered members and dependents. The services can be accessed 24 hours a day, 7 days a week at 1-800-236-3231 or online at [www.aurora.org/eap](http://www.aurora.org/eap).

**Please Note:** Both parties (reporting and respondent) may select one individual from the University community (faculty or staff) to advise him/her throughout the process. For students, this advisor may be one or both parents instead of a member of the University community. Either party may request the Title IX Coordinator to assign an advisor from the University community to advise him/her throughout the process.

## VI. Sanction Statement

Any person found responsible for violating the policy on Non-Consensual or Forced Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.\*

- Any person found responsible for violating the policy on Non-Consensual or Forced Sexual Intercourse will likely face a recommended sanction of suspension

Or

- Any person found responsible for violating the policy on sexual exploitation or sexual harassment will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.\*

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

## **Student Disciplinary Procedures**

### **CAMPUS STUDENT DISCIPLINARY PROCEDURES FOR NON-ACADEMIC MISCONDUCT INVOLVING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING**

Every member of the Lakeland University community has the right to conduct his or her academic and social life in an environment that is free from threats, danger, and harassment. Victims are afforded rights by the federal government, the state, and Lakeland University.

Federal law and Lakeland University policy entitle sexual assault, domestic violence, dating violence and stalking victims to the following rights:

- Disciplinary proceedings that provide a prompt, fair, and impartial investigation and resolution.
- Disciplinary proceedings that are conducted by panel members who receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- The same opportunity to have others present throughout disciplinary proceedings as the accused, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.
- Both parties shall be simultaneously informed, in writing, of the outcome of any disciplinary proceeding; of any change to the results that occurs prior to the time that such results become final; and of when such results become final. At no time can a victim be required to keep the outcome confidential, or be prohibited from discussing the case.
- Victims have the same rights as the accused to appeal the outcome of a disciplinary proceeding.
- Victims shall be informed of their options to notify law enforcement.
- Victims shall be notified of existing resources for counseling, mental health, health, victim advocacy, and legal assistance.
- Victims shall be notified of options for changing academic, transportation, work, and living situations.
- Victims can obtain a free forensic exam from a Sexual Assault Nurse Examiner (SANE) without filing a police report or involving the police in any way.

## **Student Conduct Procedures**

The purpose of the judicial system is to hold students accountable for their behaviors and to educate students in civic and communal rights and responsibilities. Decisions of the judicial system are not based on guilt or innocence, but whether a violation of a policy exists.

If the behavior of a student conflicts with policies and procedures outlined in this Student Handbook, Housing Contract Terms and Conditions or other official publications of Lakeland University, the student conduct system seeks to increase the student's sensitivity to the personal and social consequences of his or her behavior. Because the primary goal of conduct proceedings is education, the hearings are non-adversarial, confidential to the extent they can be and not to be considered analogous to court proceedings. The degree of formality of these proceedings is considered necessary to ensure a well-functioning, equitable program, which protects the rights of all concerned. Responsibility and authority in matters of student behavior resides with the director of residence life and designees. Parents may be notified of any disciplinary action taken at the discretion of the director of residence life.

### **Disciplinary Policies**

Conduct which is incompatible with the university community and therefore disruptive of the academic environment shall be subject to disciplinary action. To help students, the University community has established policies for behavior to ensure that a healthy environment for living and learning exists. Students are responsible for the policies that are defined in this handbook. Procedures do not relate to specific types of misconduct but depend on the magnitude of the offense as determined by the conduct officer or judicial board who hears the case.

## **Student Conduct Hearings**

### **Abuse of the Judicial System**

The Lakeland University judicial system is intended to be a non-adversarial process designed to assess responsibility in regards to alleged policy violations. Abuse of the judicial system includes, but is not limited to: failure to obey the summons of a judicial body, conduct officer, or University official; falsification, distortion, or misrepresentation of information before a judicial body or conduct officer; disruption or interference with the orderly conduct of a judicial proceeding; institution of a judicial proceeding knowingly without cause; attempting to discourage an individual's proper participation in, or use of, the judicial system; attempting to influence the impartiality of a member of a judicial body or conduct officer prior to, and/or during the course of, the judicial proceeding; harassment (verbal or physical) and/or intimidation of a member of a judicial body or any person involved in the judicial proceedings, prior to, during, and/or after a judicial proceeding; failure to comply with the sanction(s) imposed by a judicial body or administrator, and/or influencing or attempting to influence another person to commit an abuse of the judicial system.

## **Administrative Hearing**

An administrative hearing conducted by one judicial officer is the most common way a student conduct case is adjudicated. During the hearing, the student will have the opportunity to hear and present information pertaining to the alleged policy violation. If a student decides not to schedule a hearing or to attend a scheduled hearing, a determination is made without the student's input and the student's right to appeal is forfeited.

## **Judicial Board**

In cases where the sanction for the offense may result in dismissal from the University or the student has legitimate claims that the hearing officer may be biased toward the accused or the accuser, the director of residence life may decide it is in the best interest of the student or the community to have the case heard before a judicial board. The Lakeland University judicial board consists of one faculty members and two staff members. The director of residence life will act in an advisory capacity. The judicial board will investigate the information presented, make a determination of responsibility and recommend sanctions as needed. If a student decides not to schedule a hearing or to attend a hearing, a determination is made without the student's input and the student's right to appeal is forfeited.

## **Student Conduct Rights**

The following student conduct rights include:

- To be notified, via email or through campus mail, of the alleged policy violation not more than seven (7) class days but not less than one (1) class day from the time the incident report is generated. To be informed that complaints of sexual misconduct/assault will be investigated by the University, and possibly by the sheriff's department.
- To have an opportunity to respond to the claim that University policy has been violated.
- To supply the investigative team or individual with information or witnesses.
- To consult with the Title IX Coordinator as a resource for understanding these rights and the investigative process.
- To be notified of available counseling, mental health services or student services for students accused of sexual assault, both on and off campus.
- To be notified that at any point of the complaint/investigation/judicial process, the accused has the right to have the support of any willing member of the Lakeland University community. The support person has the right to attend any function at which the accused's presence is required. Guests may be present during any hearing and may act only in an advisory capacity.
- To know that a history of prior complaints, investigations and cases may be admitted in an investigation and/or appeal.

- To refuse to answer some or all questions. The investigation will proceed with or without the participation of the accused.
- To receive an impartial decision about an alleged policy violation and be notified of the outcome.
- To petition to appeal a disciplinary decision by a hearing officer(s) as outlined in the appeals section of the Student Handbook.
- To be aware decisions in student conduct cases will be based on evidence presented and reasonable supporting information.

### **Right to Notify**

Lakeland University has the right to disclose to listed emergency contacts any information from the student's educational record of a dependent student. Lakeland University also has the right to disclose the same regarding any student who has signed a release to his/her parents, guardian, or emergency contact. A dependent student is one designated as such on the most recent tax return filed by the student's parents or guardian.

### **Judicial Board Hearing Procedures**

The following procedural guidelines shall be applicable in disciplinary hearings:

- All charges shall be presented to the accused student in written form. A time shall be set for hearing, not less than two (2) nor more than 15 calendar days after the student has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the director of residence life. Also at this time, the director of residence life will invite the accused to a pre-hearing conference. The purpose of this meeting is to inform the accused of the judicial process, what the charge(s) are before them, and to answer any questions they may have.
- The director of residence life will inform the judicial board of the case.
- The board may not begin a case with less than a two-thirds majority of its total membership.
- The chair of the University judicial board shall have the authority to require a student to appear at a designated time and place when the student's presence is necessary to resolve a question which is before the board.
- The hearing may be recorded. The recording will be kept in the sole possession of the director of residence life. Outside recording devices will not be allowed. The director of residence life will retain tapes and all materials after the judicial process is completed. Under normal circumstances, materials are destroyed and the tapes erased after the hearing or appeal process is completed.
- The violation will be read to the accused and he/she will be allowed a response.

- The board will ask questions to determine all facts of the case, which includes the calling of witnesses.
- The board shall have the authority to require the student to produce additional information as it is relevant to the hearing.
- Final statements from the accused and the accuser will be taken.
- Decisions by the board shall be by majority vote. In the event of a tie, the chair will vote to break the tie.
- A reminder of confidentiality will be given.
- The board will impose sanctions if a violation is determined to have occurred.
- Written notification of the decision will be sent within three (3) class days of the decision.
- A petition to appeal the decision must be submitted to the vice president/chief financial officer within two (2) class days of the official notification of the decision.
- If the alleged violator does not appear before the judicial board, the hearing will take place to determine whether a violation has occurred and determine a sanction.
- The proceedings of the Judicial Board and all facts related to the case are considered confidential.
- Students may request to have guests present who may act only in an advisory capacity. Professional legal counsel is permitted to attend a campus administrative judicial hearing but may act only in an advisory capacity as Judicial Board Hearings are seen as educational in nature and not criminal proceedings.
- Judicial hearings are closed to the public.
- If an appeal is applied for and granted, it too shall follow the process of those described in the judicial hearing process.

## **Sanctions**

After a determination of responsibility has been established, the hearing body or conduct officer sets a sanction(s) appropriate for the violation. The purpose of the sanction(s) is to facilitate change in the student's behavior so he/she can function positively within the Lakeland University community. The purpose of a sanction is to educate and communicate that such behavior is not tolerated by the Lakeland University community. Prior to deciding upon a sanction, either the board or the conduct officer will review the student's judicial file. If there is a previous record, these previous violations will influence what the new sanction will be. One or more of the following sanctions may be imposed upon an individual or an entire organization, as the situation dictates.

- 1. Official Warning:** An official warning is a written description of the student's misconduct with the understanding that this type of behavior is inappropriate and violates the basic expectations of students as set forth by Lakeland University. Furthermore, that further misconduct will result in more severe disciplinary action should there be any further behavioral violations.
- 2. Behavioral Agreement:** A behavioral agreement is written by an administrator and student for the purpose of improving behavior or attitude. The agreement will outline specific obligations or behaviors which the student must meet within a specific period of time. The agreement serves as a contract of understanding between the student and the administrator.
- 3. Disciplinary Probation:** Disciplinary probation is imposed after a student has made a serious violation or has repeatedly violated campus policy. Probation allows the student to remain at the University on the condition that he or she complies with University policies and the conditions of their particular probation or behavioral agreement. The conditions of the probation will be determined by the director of residence life, administrative hearing officer or judicial board hearing the case. In some cases, a student on probation may not allowed to represent the University in any official capacity, to include participating in co- curricular activities, hold an office in a campus organization or serve on a University committee during the time of probation. The student's parents may receive notification of the probation status and circumstances of the violation.

Further violation of campus policy, to include violating the terms of the probation, may result in removal from campus housing or be suspended from the University. This must be considered an extremely serious probation.

- 4. Loss of Privileges:** Loss of privileges may outline the loss of specified privileges on campus for a designated period of time. This may include but is not limited to participation in athletic events or practices or access to campus housing units.
- 5. Restitution:** Restitution is compensation required of students who engage in theft, damage to property on or off campus. The amount of restitution is dependent upon the extent of damage as well as what is determined to be the best method for the student to make amends for the damage caused. The amount, form and method of payment is determined by the conduct officer or judicial board.
- 6. Suspension:** Suspension is the involuntary, temporary loss of student status for a specified period of time after which the student may return. A suspended student may not attend classes or any University-sponsored event. The student will be required to leave campus and may not return until the time period of the suspension has ended. The student will lose credit for the classes carried that term. Fees and tuition will be forfeited according to the withdrawal policy. The conduct officer or judicial board may establish additional requirements in some cases which must be completed prior to their return to the University. This disciplinary action will be recorded on the student's record in the director of residence life office.

**7. Dismissal:** Dismissal is the permanent termination of student status. This sanction is one of immediate involuntary separation from the University.

**8. Discretionary/Educational Sanctions:** Discretionary sanctions are actions required by a student as outlined by a judicial board or conduct officer which may include referral to health services, student counseling, special seminars, field study, work detail, community service or participation in appropriate educational programs.

**9. Removal from a Residence Hall:** A student may be removed from a residence hall due to behavior that has been deemed unacceptable. Housing relocation or removal from any housing facility may be for one semester or one academic year.

**10. Fines:** In lieu of formal disciplinary actions or in addition to, fines may be used to discourage violations of University policies. Examples of when fines may be used may include, but are not limited to:

- Violation of fire safety policies;
- Violations of the drug and alcohol policy;
- Taking or moving University property without authorization;
- Taking food from the cafeteria to feed a non- resident student.
- Violation of residence hall policies.

**11. Interim Suspension:** Under situations determined by the University president or the director of residence life to be potentially dangerous, action may take place to immediately suspend a student from Lakeland University for a specified period of time, prior to a resolution through a campus hearing.

The University president or the director of residence life will base their decision on whether the allegation of misconduct is apparently reliable and whether the continued presence of the student on the University campus may reasonably interfere with the educational or orderly operation of the University. Concerns may be, but are not limited to, the student's personal physical health or the health and/or safety of other members of the University community, property or the orderly functioning of Lakeland University.

When a student is suspended for an interim period, the period and conditions of the suspension shall be provided to the student, along with a clear statement of what conditions must be met for the suspension to be lifted.

The decision to alter or suspend the rights of a student for an interim period will be communicated in writing to the student and will become effective immediately. Notification will either be hand-delivered or sent by certified mail to the last address provided to the Registrar's Office. (Failure or refusal to take receipt of notification will not negate or postpone said action.) Students are responsible for updating directory information (including address) with the Registrar's Office.

The interim suspension or altered privileges will remain in effect until a final decision has been made on the pending complaint or until the president or the director of residence life determines that the reason for imposing the interim suspension or alterations of privileges no longer exists.

In the event that there is a decision to suspend or dismiss the student, the sanction will take effect from the onset of the interim suspension.

In the event of a lesser sanction being imposed, the interim suspension will not become a part of the student's permanent record.

**12. Reimbursement upon suspension:** If suspended or dismissed, a student will not be reimbursed for loss of housing, board or tuition fees.

## **Appeals**

A petition to appeal must be sent to the vice president/chief financial officer within two (2) class days of written notification of the judicial hearing decision. The application must state specific reasons as to why the individual believes an appeal is in order.

Upon receipt of a petition to appeal, the vice president/chief financial officer will review all written and recorded information pertaining to the case, and based on information gathered, has the right to grant or deny an appeal hearing. The only grounds for an appeal are insufficient proof of responsibility, violation of student rights, or if the judicial sanction is inappropriate for the violation. No new testimony will be allowed at this stage.

An appeal hearing will be granted or denied by the vice president/chief financial officer. If an appeal hearing is denied, the decision of the conduct officer or judicial board stands and notification will be sent to the student. If an appeal hearing is granted, written notification will be sent to the student and an appeal hearing will be scheduled.

If an appeal is granted, the vice president/chief financial officer will review the case after meeting with the student. The vice president/chief financial officer will review all appeals with the president before making a decision, and may confer with the judicial board as well. The decision of the vice president/chief financial officer will be one of the following:

- a) To overturn the decision of the director of residence life or the judicial board.
- b) To return the case to the director of residence life or the judicial board for further review.
- c) To support the decision of the director of residence life or the judicial board.

The decisions of the vice president/chief financial officer will be final and sent to the student when reached.

*Honesty* – Each participant in the judicial process, either as an accuser or the accused, must present the facts of the case with honesty. The judicial system depends on each participant being totally truthful. Individuals who are dishonest are subject to their own judicial action which could result in dismissal as a sanction.

## Sanction Grid

Alcohol	Repeated use or a history of violations; sale of alcohol to minors	Repeated incidences of alcohol abuse; severe violations
Bodily or Mental Harm	Minor, single incident	Causing serious injury via assault or repeat offenses
Campus Demonstration and Disruption	Minor, single incident	Causing major disturbance/disruption or impeding the rights or safety of others
University Officials	Failure to comply with reasonable request from University official	Repeated offenses or verbal/physical abuse directed at campus official
Discrimination and/or Harassment	Verbal conduct that has the potential to create an intimidating environment for others	Verbal or physical conduct that creates an unwelcome, intimidating, or hostile environment for others
Disorderly Conduct	Action that causes minor disturbance of the good order of the University	Repeated offenses or action that causes severe disturbance of the good order of the University
Drug Use	Use of any illicit drug or non-prescribed medication	Repeated offenses, sale, distribution, or manufacture of any illicit drug
False Report of Emergency	Initiating a false report of a minor crime, or emergency	Repeated offenses or creating a false report of a serious crime or emergency
Firearms, Fireworks, Weapons	Possession or discharge of fireworks or non-lethal weapons	Possession or discharge of any explosive or potentially lethal weapon
Fire Safety	Failure to comply with evacuation procedures, disabling smoke detector in room, discharge of fire extinguisher	Repeated offenses, tampering with fire safety equipment which may jeopardize safety of others
Hazing	Conduct which has potential to compromise the dignity of another	Conduct which compromises the dignity of another
Hunting	Hunting of game in proximity to campus	Repeated violations or hunting on campus property
Off-Campus Behavior	Off-campus simple assault, theft, or disorderly conduct	Repeated violations, off-campus serious assault, sexual assault, or other felony
Residence Hall Policies	Repeated offenses or severe violation	Repeated offenses or severe violation
Sexual Assault	Sexual contact (e.g. touching, fondling) without consent	Sexual assault, domestic violence, stalking, or sexual misconduct

The following is a sampling, not all inclusive, of possible causes for suspension or dismissal from Lakeland University. However, prior to these extreme measures, possible sanctions for minor or first offense policy violations may involve a written warning, educational tasks, community service or disciplinary probation.

## **Employee Disciplinary Procedures**

### **Employee Corrective Action**

We strive to maintain our reputation as an excellent place to work and we expect all our employees to interact with each other in the spirit of consideration, respect and cooperation. We endeavor to treat all employees with equity and respect, and we believe our employees will rarely lapse from excellent work or compliance with our established policies and procedures. Further, we also believe our employees will correct any deficiencies brought to their attention in a professional, cooperative and constructive manner. We make every effort, through corrective action, to assist an employee in overcoming deficiencies or failure to comply with our policies and procedures.

Corrective action will align with the type of behavior the employee has demonstrated. Normally, discussion with an employee to point out what is expected, or to tell the employee how he or she is performing, should be enough to correct the behavior. There are times, however, when such corrective action is not enough and additional corrective action is required. Such action may include verbal counseling, performance improvement plans, written warnings, suspensions without pay (subject to applicable limitations for exempt employees), or termination. Where work performance or conduct issues are better addressed through a performance improvement plan, your supervisor may establish a plan for you, which may involve your input. The plan will state your supervisor's expectations of you, with deadlines for achieving the stated expectations. Failure to meet the terms of the performance improvement plan will result in the consequences stated in the plan.

It should be emphasized that corrective action need not go through each of the levels listed above. Corrective action may begin at any level in the process, including termination. Corrective action, up to and including termination, is based on the seriousness of the matter or the offense committed and the surrounding circumstances.

The following list of reasons for corrective action is not meant to be all-inclusive; the mere fact that a possible violation is not listed does not mean it would not result in corrective action, up to and including termination:

- Failure to exhibit Lakeland University values.
- Failure to follow Lakeland University department specific rules, policies or guidelines.
- Unsatisfactory, negligent, or careless work performance.
- Dishonesty, falsification or unauthorized altering of Lakeland University records.

- Unauthorized or unlawful manufacture, distribution, possession, or use of drug paraphernalia or chemical substances, including any controlled substance on University property or while conducting University business.
- Theft or willful damage to University property.
- Unauthorized use and/or disclosure of confidential information contained in University records.
- Unauthorized use and/or possession of intoxicating beverages on University property, or inappropriate work behavior related to such use.
- Workplace behavior indicating inattention to duties, including but not limited to, sleeping on duty or inappropriate use of the internet.
- Absence for three or more consecutive days without notifying your supervisor.
- Excessive absenteeism or tardiness - generally more than six occurrences within a rolling 12 month calendar year (prorated to proportionate number of occurrences for part-time employees) except for FMLA or other designated circumstances. An occurrence is defined as an absence of one or more days for the same reason separated by one or more days of work. Each instance of tardiness will be considered ½ of an absence.
- Failure to observe safety regulations or failure to report on-the-job injuries or unsafe conditions in a timely manner.
- Displaying behaviors that disrupt operations or affect the ability of others to do their jobs.
- Abusive behavior towards, or harassment of, any employee, student or guest or threatening, intimidating, or coercing others while on any University property.
- Insubordinate conduct toward a supervisor, refusal to carry out the reasonable instructions of a supervisor, or leaving the job without permission during regularly assigned working hours.
- Fighting.
- Rude, disruptive behavior or conduct creating discord, including verbal or physical attacks directed at or regarding others that goes beyond the bounds of acceptable professional conduct.

The Employee Assistance Program (EAP) is another resource for any employee and may be a resource in the corrective action process. Your supervisor may recommend a voluntary EAP referral for any employee who receives correction action.

An EAP referral will be made when a manager and the Human Resources department feels strongly that outside resources may help the employee be successful. A mandatory EAP referral is typically made as part of an alcohol/drug intervention, if the employee poses a threat to him/herself or others, or demonstrates other significant behavioral issues.

### **Employee Sanctions**

Employees who are in violation of any part of this policy will result in corrective action that may include referrals as discussed below, suspension, or termination of employment. Any member of the University community who violates the provisions of this policy, or whose behavior is impaired by alcohol or controlled substances, may be required to complete an Employee Assistance Program referral as a condition of continued employment. Violations of this policy may also result in corrective action, up to and including suspension or termination of employment from the University and referral for prosecution.

Likewise, employees who need help in dealing with alcohol or drug related problems are encouraged to seek professional assistance. The Employee Assistance Program can provide assessments or interventions for individuals seeking help. An employee's participation in the program will be encouraged and handled confidentially.

### **Problem/Resolution Procedure**

A formal problem/resolution procedure is available to you as an avenue for the resolution of a work-related problem or condition, that you believe to be unfair, inequitable, discriminatory or a hindrance to your effective job performance. You may inquire about any corrective action or an action thought to be unjust or adverse. While a policy or decisions relating to pay may not be questioned, the application of a policy may be brought forward if you feel that you have been adversely affected. You should file such inquiries in a timely manner, no later than five (5) working days after the incident or knowledge of the alleged unfair treatment.

You should first discuss the issue with your department manager and if not resolved to your satisfaction, the issue may be referred to the Director of Human Resources who will submit it to a problem/resolution committee appointed by the President of the University and authorized to recommend a resolution of the issue for Presidential approval. No employee will be retaliated against as a result of filing a request. The Human Resources department can assist you in determining whether your issue involves conduct prohibited under our policy against harassment, and if so, how it will be handled under the terms of that policy.

### **Policy Against Harassment**

Consistent with our mission and our respect for the rights and dignity of each employee of our community, Lakeland University has zero tolerance for harassment of any kind, of or by any of its employees. This prohibition includes harassment based on color, religion, sex, sexual orientation, national origin, ethnicity, age, disability, marital status, citizenship or any other characteristic prohibited by federal or state law.

Harassment can arise from a broad range of physical or verbal behaviors, or via electronic means (emails or texts), and can arise from employees or non-employees such as students, vendors or outside contractors. It can include, but is not limited to: physical or mental abuse; racial, ethnic or religious insults or slurs; unwelcome sexual advances or touching; sexual comments, jokes, stories, or innuendoes; requests for sexual favors used as a condition of employment or affecting any personnel decision such as hiring, promotion, compensation or termination; display of sexually explicit or otherwise offensive posters, calendars, or materials; making sexual gestures with hands or body movements; inappropriately staring at another employee or touching his or her clothing, hair or body; asking personal questions about another employee's sexual life; and repeatedly asking out an employee who has stated that he or she is not interested.

These activities are offensive and are inappropriate in the workplace. This is a serious issue not just for Lakeland University, but also for each individual. This policy against harassment applies throughout our work environment, whether in the workplace, at work assignments outside the workplace, at Lakeland University-sponsored social functions or in any other work-related situations. This policy applies to all such situations without regard to location and whether on or off a Lakeland University campus or other controlled site.

Harassment or similar unacceptable activities that could become a condition of employment or a basis for personnel decisions, or create a hostile, intimidating or offensive environment are specifically prohibited by Lakeland University. It is the responsibility of management, supervisors, and all employees to ensure that these prohibited activities do not occur. No employee, however, should assume the University is aware of a problem or situation. It is the employee's responsibility to bring a complaint or problem to the attention of the University so that it may be resolved.

Therefore, any employee who believes she/he has been the subject of harassment should immediately report the matter to at least one of the following:

1. His or her manager, or to the person to whom their manager reports;
2. The director or manager of the Human Resources department; or
3. To any employee of Lakeland University's Executive Leadership Team, who will then involve the Human Resources Department

Lakeland University forbids retaliation against anyone for reporting alleged sexual harassment or otherwise assisting in the investigation of a complaint.

It is the expressed policy of Lakeland University to investigate all complaints thoroughly and promptly; and, to the greatest extent possible, maintain the confidentiality of those involved in the investigation. If the investigation confirms that harassment of any kind has occurred, Lakeland University will take all appropriate disciplinary action, up to and including termination. All Lakeland University employees will be required to complete training on this policy every two years.

## **Workplace Violence, Bullying and Abusive Behavior**

Lakeland University is committed to maintaining a safe and healthy environment for all employees and will not tolerate any form of violence, bullying or abusive behavior committed by or against any employee of its community. All reports of violence, bullying or abusive behavior will be taken seriously.

Employees who engage in actions or threats of violence, bullying or abusive behavior will be subject to discipline, up to and including termination.

Any individual who experiences or witnesses violence, threats of violence or abusive behavior or who has reason to believe these acts are occurring should notify their supervisor, security or Human Resources. Confidentiality will be maintained to the extent possible but is not guaranteed.

## **XII. HEOA Victim Notification**

### **Rights of the complainant in a sexual assault or sexual misconduct investigation:**

- To have complaints of sexual misconduct/assault investigated by the university.
- To report the violation directly to the sheriff's department, with or without assistance from campus personnel.
- To consult with a Title IX representative as a resource for understanding these rights and the investigation process.
- To be notified that at any point during the complaint/investigation/judicial process, the complainant has the right to have the support of any willing member of the Lakeland University community, friend, faculty or staff of her/his choice. The support person has the right to attend any function at which the complainant's presence is required. The support person may not be a licensed attorney nor associated with law enforcement.
- To not have prior sexual history admitted during any disciplinary hearing. History of prior complaints, investigations, and cases may be admitted in an investigation and/or appeal.
- To be notified of the outcomes, if any, in the case.
- To appeal a disciplinary decision by a hearing officer(s) as outlined in the appeals section of the Student Handbook.
- The university, upon written request, will disclose to the alleged victim of a crime of violence or non-forcible sex offense, the report on the results of any discipline hearing conducted by the university against the alleged perpetrator of such crime or offense. If the alleged complainant is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this paragraph.

**Rights of the accused in a sexual assault or sexual misconduct investigation:**

- To be informed in writing of the accusations/complaints that were filed.
- To be informed that complaints of sexual misconduct/assault will be investigated by the university, and possibly by the sheriff's department.
- To consult with a Title IX representative as a resource for understanding these rights and the investigation process.
- To be notified of available counseling, mental health or student services for students accused of sexual assault, both on or off campus.
- To be notified that at any point during the complaint/investigation/judicial process, the accused has the right to have the support of any willing member of the Lakeland University community, friend, faculty or staff of her/his choice. The support person has the right to attend any function at which the accused's presence is required. The support person may not be a licensed attorney nor associated with law enforcement.
- History of prior complaints, investigations, and cases may be admitted in an investigation and/or appeal.\*
- To refuse to answer some or all questions. The investigation will proceed with or without the participation of the accused.
- To be notified of the outcomes, if any, in the case.
- To appeal a disciplinary decision by a hearing officer(s) as outlined in the appeals section of the Student Handbook.

\*Typically students seek support from a faculty or staff member who knows them well, such as an advisor or mentor. Faculty or staff who agree to serve in this role may wish to consult with others who have supported students in previous judicial situations. Consult with a Title IX representative for more information.

**XIII. Clery Crime Definitions and Statistics**

The following Crime Definitions from the Uniform Crime Reporting Handbook:

**Criminal Homicide:**

- a) **Murder and Non-negligent Manslaughter** is the willful (non-negligent) killing of one human being by another.
- b) **Manslaughter by Negligence** is the killing of another person through gross negligence.

**Sexual Assault (Sex Offenses)**

Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- a) **Rape** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- b) **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.
- c) **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d) **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

### **Robbery**

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

### **Aggravated Assault**

Is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

### **Burglary**

Is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses.

- a) **Forcible Entry:** All offenses where force of any kind is used to unlawfully enter a structure for the purpose of committing a theft or felony.
- b) **Unlawful Entry–No Force:** The entry of a structure in this situation is achieved by use of an unlocked door or window.
- c) **Attempted Forcible Entry:** A situation where a forcible entry into a locked structure is attempted but not completed.

### **Motor Vehicle Theft**

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

### **Arson**

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

## **HATE CRIMES**

Is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

- a) **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- b) **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- c) **Sexual Orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- d) **Gender.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- e) **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- f) **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

- g) **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- h) **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias.**

**Criminal Homicide:**

- a) **Murder and Non-negligent Manslaughter** is the willful (non-negligent) killing of one human being by another.
- b) **Manslaughter by Negligence** is the killing of another person through gross negligence.

**Sexual Assault (Sex Offenses):**

Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- e) **Rape** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- f) **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.
- g) **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- h) **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

**Robbery**

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault**

Is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary**

Is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses.

- i) **Forcible Entry:** All offenses where force of any kind is used to unlawfully enter a structure for the purpose of committing a theft or felony.
- j) **Unlawful Entry–No Force:** The entry of a structure in this situation is achieved by use of an unlocked door or window.
- k) **Attempted Forcible Entry:** A situation where a forcible entry into a locked structure is attempted but not completed.

**Arson**

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

**Larceny-Theft**

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

**Simple Assault**

Is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation**

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

**Destruction/Damage/Vandalism of Property**

Is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## **VAWA (Violence Against Women Act) Offenses**

### **Dating Violence**

Is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. 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. For the purposes of this definition—

- a) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- b) Dating violence does not include acts covered under the definition of domestic violence.

### **Domestic Violence**

Is defined as a felony or misdemeanor crime of violence committed—

- a) By a current or former spouse or intimate partner of the victim;
- b) By a person with whom the victim shares a child in common;
- c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

### **Stalking**

Is defined as 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.

**For the purposes of this definition:**

- **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.

**For the purposes of this definition:**

- **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.

**Arrests and Disciplinary Referrals for Violation of Weapons, Drug Abuse and Liquor Laws**

**Weapon Law Violations**

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

**Classify as a Weapons: Carrying, Possessing, Etc., Violation:**

- Manufacture, sale, or possession of deadly weapons.
- Carrying deadly weapons, concealed or openly.
- Using, manufacturing, etc., of silencers.

- Furnishing deadly weapons to minors.
- Aliens possessing deadly weapons.
- Attempts to commit any of the above.

\*This type of violation is not limited to “deadly” weapons; it also applies to weapons used in a deadly manner. For example, brass knuckles.

### **Drug Abuse Violations**

Are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

### **Liquor Law Violations**

Are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

### **Classify as a Liquor Law Violation:**

The manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor.

- Maintaining unlawful drinking places.
- Bootlegging.
- Operating a still.
- Furnishing liquor to a minor or intemperate person.
- Underage possession.
- Using a vehicle for illegal transportation of liquor.
- Drinking on a train or public conveyance.

## ANNUAL DISCLOSURE OF CRIME STATISTICS

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f) and its implementing regulations require colleges and universities across the United States to disclose information about crime on and around their campuses. This section includes information on LU crime statistics during the 2015 calendar year and includes comparison data for a three year period.

### Definitions

In order to fully understand the context of the crime statistics disclosed in this section, it's important to understand the definitions used for reporting. Below are the definitions that are required to be used for reporting. Of note, these definitions are not necessarily the same definitions that might be used for the same or similar crimes in the state of Indiana and they may differ from the definitions of prohibited conduct as set forth by ISU Policy.

- **On Campus** The total number of crimes that occurred on campus, including crimes that occurred in student housing facilities.
- **Residence Halls (On- Campus)** The total number of crimes that occurred in on- campus student housing facilities as a subset of the total.
- **Public Property** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- **Non-Campus** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

### Hate Crimes

A **hate crime** is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. **Bias** is a performed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin. Under the proposed regulations they define "hate crime" to mean a crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

### Hate Crimes Reported for 2013-2015

**2015:** 0 There were no Hate Crimes reported from the four campuses and five centers

**2014:** 0 There were no Hate Crimes reported from the four campuses and five centers

**2013:** 0 There were no Hate Crimes reported from the four campuses and five centers

### Unfounded Crimes

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded" and should not be included in the institution's statistics. Only sworn or commissioned law enforcement personnel may "unfound" a crime.

### Reported Unfounded Crimes for 2013-2015

**2015:** 0 There were no Unfounded Crimes reported from the four campuses and five centers

**2014:** 0 There were no Unfounded Crimes reported from the four campuses and five centers

**2013:** 0 There were no Unfounded Crimes reported from the four campuses and five centers

**Clery Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015  
Main Campus**

<b>REPORTED CRIMES</b>	<b>Year</b>	<b>On- Campus</b>	<b>Residence Halls</b>	<b>Public Property</b>	<b>Non- Campus</b>
<b>Murder/Non-Negligent Manslaughter</b>	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
<b>Negligent Manslaughter</b>	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
<b>Sex Offenses</b>	2015	5	4	0	0
	2014	1	1	0	0
	2013	0	0	0	0
<b>Non-Forcible Sex Offenses</b>	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
<b>Robbery</b>	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
<b>Aggravated Assault</b>	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
<b>Burglary</b>	2015	6	6	0	0
	2014	13	13	0	0
	2013	3	3	0	0
<b>Motor vehicle Theft</b>	2015	1	0	0	0
	2014	0	0	0	0
	2013	2	0	0	0
<b>Arson</b>	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0

VAWA Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Main Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Dating Violence	2015	3	3	0	0
	2014	1	1	0	0
	2013	0	0	0	0
Stalking	2015	3	3	0	0
	2014	0	0	0	0
	2013	0	0	0	0

Arrests & Referrals for Disciplinary Action Statistics for 2013-2015 Main Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Liquor Law Violations/Referrals	2015	37	37	0	0
	2014	35	35	0	0
	2013	68	68	0	0
Liquor Law Violations/Arrests	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Drug Violations/Referrals	2015	8	8	0	0
	2014	3	3	0	0
	2013	6	6	0	0
Drug Violations/Arrests	2015	0	0	0	0
	2014	2	2	0	0
	2013	2	2	0	0
Weapons Violations/Referrals	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Weapons Violations/Arrests	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0

**\*Note: This location has been identified by Clery Definition as a Separate Campus. It does not have any Residential Facilities or Non-Campus Locations Associated with it.**

Clery Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Madison Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Non-Forcible Sex Offenses	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Robbery	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Aggravated Assault	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Burglary	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Motor vehicle Theft	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Arson	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

VAWA Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Madison Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

Arrests & Referrals for Disciplinary Action Statistics for 2013-2015 Madison Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Liquor Law Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Liquor Law Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

**\*Note: This location has been identified by Clery Definition as a Separate Campus. It does not have any Residential Facilities or Non-Campus Locations Associated with it.**

Clery Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Green Bay Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Non-Forcible Sex Offenses	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Robbery	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Aggravated Assault	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Burglary	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Motor vehicle Theft	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Arson	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

VAWA Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Green Bay Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

Arrests & Referrals for Disciplinary Action Statistics for 2013-2015 Green Bay Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Liquor Law Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Liquor Law Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

**\*Note: This location has been identified by Clery Definition as a Separate Campus. It does not have any Residential Facilities or Non-Campus Locations Associated with it.**

Clery Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Japan Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Non-Forcible Sex Offenses	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Robbery	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Aggravated Assault	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Burglary	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Motor vehicle Theft	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Arson	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

VAWA Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Japan Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

Arrests & Referrals for Disciplinary Action Statistics for 2013-2015 Japan Campus					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Liquor Law Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Liquor Law Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

**\*Note: This location has been identified by Clery Definition as a Separate Campus. It does not have any Residential Facilities or Non-Campus Locations Associated with it.**

Clery Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Milwaukee Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Non-Forcible Sex Offenses	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Robbery	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Aggravated Assault	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Burglary	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Motor vehicle Theft	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Arson	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

VAWA Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Milwaukee Center					
REPORTED CRIMES	Year	On- Campus	Residence Halls	Public Property	Non- Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

Arrests & Referrals for Disciplinary Action Statistics for 2013-2015 Milwaukee Center					
REPORTED CRIMES	Year	On- Campus	Residence Halls	Public Property	Non- Campus
Liquor Law Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Liquor Law Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

**\*Note: This location has been identified by Clery Definition as a Separate Campus. It does not have any Residential Facilities or Non-Campus Locations Associated with it.**

Clery Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Fox Cities Center					
REPORTED CRIMES	Year	On- Campus	Residence Halls	Public Property	Non- Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Non-Forcible Sex Offenses	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Robbery	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Aggravated Assault	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Burglary	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Motor vehicle Theft	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Arson	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

VAWA Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Fox Cities Center					
REPORTED CRIMES	Year	On- Campus	Residence Halls	Public Property	Non- Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

Arrests & Referrals for Disciplinary Action Statistics for 2013-2015 Fox Cities Center					
REPORTED CRIMES	Year	On- Campus	Residence Halls	Public Property	Non- Campus
Liquor Law Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Liquor Law Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

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Clery Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Chippewa Valley Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Non-Forcible Sex Offenses	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Robbery	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Aggravated Assault	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Burglary	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Motor vehicle Theft	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Arson	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

VAWA Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Chippewa Valley Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

Arrests & Referrals for Disciplinary Action Statistics for 2013-2015 Chippewa Valley Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Liquor Law Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Liquor Law Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

**\*Note: This location has been identified by Clery Definition as a Separate Campus. It does not have any Residential Facilities or Non-Campus Locations Associated with it.**

Clery Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Central Wisconsin Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Non-Forcible Sex Offenses	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Robbery	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Aggravated Assault	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Burglary	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Motor vehicle Theft	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Arson	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

VAWA Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Central Wisconsin Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

Arrests & Referrals for Disciplinary Action Statistics for 2013-2015 Central Wisconsin Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Liquor Law Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Liquor Law Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

**\*Note: This location has been identified by Clery Definition as a Separate Campus. It does not have any Residential Facilities or Non-Campus Locations Associated with it.**

Clery Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Aviation Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Non-Forcible Sex Offenses	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Robbery	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Aggravated Assault	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Burglary	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Motor vehicle Theft	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Arson	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

VAWA Crimes Reported to Lakeland University Campus Safety & Security Department 2013-2015 Aviation Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Domestic Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Dating Violence	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Stalking	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0

Arrests & Referrals for Disciplinary Action Statistics for 2013-2015 Aviation Center					
REPORTED CRIMES	Year	On-Campus	Residence Halls	Public Property	Non-Campus
Liquor Law Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Liquor Law Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Drug Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Referrals	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0
Weapons Violations/Arrests	2015	0	n/a	0	0
	2014	0	n/a	0	0
	2013	0	n/a	0	0



# LAKELAND ♦UNIVERSITY♦

## 2016 Fire Safety Report

*This report contains the policies and procedures related to fire safety and annual fire statistics for the 2015 calendar year for the Lakeland University Sheboygan campus. This report is required by the Higher Education Opportunity Act (2008) as part of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Act.*

#### **XIV. Annual Fire Safety Report and Polices**

All persons must evacuate the building when a fire alarm sounds. Any person not complying with evacuation procedures is subject to disciplinary action including possible fine.

Firefighting equipment, fire alarm systems, smoke detectors and evacuation procedures are provided for the protection of life and property. Residents should familiarize themselves with the type and location of equipment, exits, windows and the evacuation procedures from their floors of residence halls. Everyone is required to vacate the building during a fire drill.

To promote safety, students are prohibited from having the following items in their rooms:

- Incense and candles, incense burners
- Halogen lamps
- The use of paneling or plywood
- Hanging items from ceilings such as fishnets, parachutes, sheets, flags, posters, etc. is also prohibited.
- Hover boards are not permitted. Hover boards include but are not limited to self-balancing scooters, battery operated scooters, hand free Segway's and electric powered skateboards.
- Tobacco/Smoking (Use of smoking materials within all rooms and buildings and outside within 100 feet perimeter of any building except within designated and posted areas is prohibited, including but not limited to cigarettes, electronic cigarettes, cigars, pipes, hookahs and smokeless/chewing tobacco.)
- Weapons/Explosives: The unauthorized possession or use of firearms, or weapons of any other kind (including but not limited to two-and-a-half inch blade knives, slingshots, metal knuckles, razors, paintball guns, BB guns, air pistols, Tasers, stun guns, batons, brass knuckles, folding knives with lock blades) is prohibited. Look-alike weapons are also prohibited.

The ignition or detonation of anything which could cause damage to persons or property or disruption by fire, smoke, explosion, noxious odors, stain, corrosion or similar means is prohibited. Possession of anything in the nature of fireworks, explosives or chemical explosives is prohibited on any property owned or operated by the University or off-campus University-sponsored events without prior University authorization.

Any student with a reasonable knowledge for believing another individual is in possession of a firearm, ammunition or weapon of any kind in violation of this Policy is required to report the apparent act immediately. Reports should be made to the Police Department 8-911 from a campus phone, or Campus Safety and Security at 920 65-1126.

Students may be asked to provide a written statement regarding the weapon incident to Campus Safety and Security within 24 hours of the incident. Any student who makes such a report in good faith effort will not be subjected to retaliation of any kind; however, failure to report may result in being reported to the Student Conduct Coordinator. A student may choose to remain anonymous by using the Campus Safety and Security anonymous tip form: <http://lakeland.edu/Campus-Life/safety-and-security#anonymous-tip-form>.

The following are also prohibited:

- Obstructing hallways and exits
- Tampering with fire sprinkler systems

False fire alarms endanger the safety of students and interfere with students' abilities to enjoy a safe, peaceful living environment. Students found responsible for activating a false alarm, tampering with fire alarms, fire extinguishers, or fire equipment will be assessed a \$100 fine plus other related costs and can be dismissed from housing and/or from the college.

Persons causing false alarms, interfering with the proper functioning of the fire alarm systems or interfering with the lawful efforts of firefighters are subject to prosecution under Wisconsin State law. If a fire results from your negligence, you may be held financially responsible for property damage and personal loss.

**NOTE:** Personal grills are not permitted on campus. Only grills provided by the University in their designated locations will be permitted.

### **Fire Safety & Training programs**

All employees that have any association with on campus student housing are required by the University to attend an annual safety education program which includes fire safety. All Resident Life employees receive additional fire safety training which takes place annually each Semester.

This training includes, but is not limited to: hands on fire extinguisher practice, how and when to conduct fire evacuation drills, hazardous waste training and blood borne pathogens training. Members of the maintenance staff receive safety training as well.

The fire safety education and other safety training programs are instructed cooperatively by the University's Environmental and Safety Coordinator, and local Fire Department officials. A log of training is maintained by the University's Environmental, Health and Safety Officer.

## **FIRE REPORTING**

Per federal law, Lakeland University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. In the event of any fire in a residence hall, even if already extinguished, the Campus Safety and Security Department should be contacted immediately at 920 565-1126.

Should you find evidence of a fire which has already been extinguished, but you are unsure if the fire was reported, please contact one of the following:

**Campus Safety and Security:** 920 565-1126 or ext. 1126 from any on campus phone.

**Interim Director of Facilities:** 920 565-1031 ext. 2267 or 2267 from any on campus phone.

**Residence Life Director:** 920 565-1042 ext. 2465 or 2465 from any on campus phone.

**Housekeeping Manager:** 920 565-1031 ext.2268 or 2268 from any campus phone.

When calling, please provide as much information as possible about the location of the fire, the date/time of occurrence if known to you and the cause of the fire if known to you.

## **XV. Emergency Response and Evacuation Procedures**

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if not already activated) as they leave. Once safely outside a building call **911** and the Campus Safety Office at **920 565-1126**. Students and/or employees will be informed where to relocate to if circumstances warrant relocation at the time of the alarm.

In the event of the fire alarm sounding, University policy is that all occupants must evacuate from the building using the nearest possible exit, closing the doors as they leave. Evacuation routes are posted in all residence halls, and classrooms on campus.

During certain emergency conditions, it may be necessary to evacuate a building. Pre-planning and rehearsal are effective ways to ensure that building occupants recognize the evacuation alarm and know how to respond. Practicing an evacuation during a non-emergency drill provides training that will be valuable during and after an emergency situation. Each residence hall has a minimum of 2 timed and unannounced evacuation fire drills per year, with a minimum of one drill occurring each semester.

## **Building Evacuation**

1. All building evacuations will occur when an alarm sounds and/or upon notification by Campus Safety and security or Resident Hall Directors.
2. During an emergency leave by the nearest marked exit and alert others to do the same in a calm, orderly manner.
3. **ASSIST THE HANDICAPPED IN EXITING THE BUILDING!** Remember that elevators are reserved for handicapped individuals. **DO NOT USE ELEVATORS IN CASES OF FIRE. DO NOT PANIC.**
4. Once outside, proceed to the designated assembly area for your department, class or residence hall.
5. **Designated areas must be at least 500 feet from the building.** Keep streets, fire lanes, hydrant areas and walkways clear for emergency vehicles and personnel.
6. Do not return to an evacuated building unless told to do so by Campus Safety and Security or Emergency Responders.

## **Campus Evacuation**

1. Evacuation of all or part of the campus grounds will be announced by Campus Safety and Security or designated personnel i.e. Emergency Responders or through the Emergency Alert Notification system.
2. All persons (students and staff) are to immediately vacate the affected area and relocate to another part of the campus grounds as directed by Campus Safety & Security/Emergency Responders.

## **Evacuation Protocol**

Prior to an evacuation announcement, Campus Safety and Security will determine if the best course of action is to evacuate or shelter in place, based upon the incident. Once that decision has been confirmed, an announcement will be made to the affected areas through the Emergency Alert Notification system.

Once emergency responders arrive to campus (Police, Fire, EMS), campus safety and Security shall transfer authority to the responding agency and shall cooperate and provide information and or assistance as requested.

## **Evacuation/Refuge Plan for Persons with Disabilities**

Emergency personnel are usually available to assist with evacuations though this may not always be the case. Those with mobility or other concerns that would make independent evacuation difficult are encouraged to make alternative plans and arrangements in advance to increase the likelihood that they will be able to exit the building safely in the event of an emergency.

Individuals with mobility concerns should become familiar with their classroom, office or residence hall area by locating exits, stairwells, elevators, fire-fighting equipment, fire alarms and established areas of safe refuge.

Advise others (supervisors, administrators, instructors, colleagues, fellow students) about any concerns that you may have related to emergency exiting and how they can assist you in the event of an emergency. This can include assistance to exits, areas of refuge and altering emergency services of your location.

### **Persons Using Crutches, Canes or Walkers**

If the person is having difficulty exiting quickly, treat him/her as if injured for evacuation purposes. Carrying options include using a two-person, lock-arm position, or having the person sit in a sturdy chair, preferably with arms. For level travel, an office chair with wheels could be utilized.

### **Extended Evacuation Procedures:**

In the event security of the campus community cannot be ensured or returned to normal for an extended period of time, those who are able to leave the premises will be advised to do so once they have been accounted for by their Department or Residence Life.

Those who must remain on site will be provided emergency shelter in the gymnasium or other location once the premises has been Inspected, secured and acknowledged as safe by law enforcement or fire officials, Emergency Government and the Campus Security staff.

Contingency emergency plans with area hospitals and schools is currently being developed.

### **Non-Ambulatory Persons**

The needs and preferences of non-ambulatory persons will vary. Most non-ambulatory persons will be able to exit safely without assistance if on the ground floor. Some people have minimal ability to move and lifting them may be painful and/or injurious. Frequently, non-ambulatory persons have respiratory complications. Remove them from smoke or fumes immediately.

Always consult the person as to his/her preference with regard to:

- Ways of being removed from the wheelchair.
- The number of people necessary for assistance.
- Whether to extend or move extremities when lifting.
- Whether a seat cushion or pad should be brought along if he/she is removed from the chair.
- Being carried forward or backward on a flight of stairs

## **Shelter in Place**

Some kinds of chemical accidents or attacks may make going outdoors dangerous. Leaving the area might take too long or put you in harm's way. In such a case it may be safer for you to stay indoors than to go outside.

**"Shelter in Place"** means to make a shelter out of the place you are in. It is a way for you to make the building as safe as possible to protect yourself until help arrives. You should not try to shelter in a vehicle unless you have no other choice. Vehicles are not airtight enough to give you adequate protection from chemicals.

### **Step 1: Notification from Campus Safety**

- In the event of a chemical or biological release that would require protective actions be taken by campus residents, Campus Safety and Security would be notified by the city/county of the incident.
- A variety of notification methods will be used to inform all Lakeland University employees and students of the protective action alert. **DO NOT PANIC.**

### **Step 2: Close Doors and Windows**

- Do not exit the building.
- If possible move to interior, windowless room on an upper floor.
- Close all doors to the outside and lock all windows.
- Wet towels or other fabric items and jam them in the crack under the door. Use plastic (trash bags are good) to cover all windows and doors. Use tape to seal the edges of plastic.

### **Step 3: Seal off Ventilation Sources**

- Turn off fume hoods, range hoods, air handlers, and all air conditioners. Switch inlets to the "closed" position. Seal off all vents, grills, or other openings to the outside to the extent possible.
- Minimize the use of the elevators in the building. These tend to "pump" outdoor air in and out of a building as they travel up and down.
- If you become bothered by the gaseous release hold a wet cloth or handkerchief over your nose and mouth. If you experience breathing difficulties contact Campus Safety and Security at 920 565-1126 or by dialing **1126** from any campus phone or 9-1-1 and request immediate medical assistance.

#### Step 4: Remain Indoors

- Monitor the local media for further information and guidance.
- Do not evacuate the building unless told to do so by Campus Safety and Security, or Law Enforcement or Fire Department officials.

#### Extended Evacuation Procedures

In the event the campus community cannot return to normal for an extended period of time, those who are able to leave the premises will be advised to do so once they have been accounted for by their department or Residence Life.

Those who must remain on site will be provided emergency shelter in a safe location once the premises has been expected, secured and acknowledged as safe by law enforcement and or fire officials and Campus Safety and Security.

Contingency emergency plans with area hospitals and schools is currently being developed.

#### Evacuation Locations

In the event of an emergency that required evacuation occurring in an on campus residence hall, students/employees/visitors would report to one of the two listed gathering points.

<b>Building</b>	<b>Primary Gathering Point</b>	<b>Secondary Gathering Point</b>
<b>A.M. Krueger</b>	Parking Lot J	Prof Drive Courtyard
<b>Brotz Hall</b>	Suites Courtyard	Parking Lot H
<b>Fredli/Hofer Suites</b>	Parking Lot H	Practice football field
<b>Grosshuesch</b>	Parking Lot D (West end)	Parking Lot E
<b>Hill Apartments</b>	Parking Lot A (South end)	Day Care Parking Lot
<b>Kurtz Apartments</b>	Parking Lot B (West end)	Day Care Parking Lot
<b>Morland House</b>	Parking Lot B (West end)	Day Care Parking Lot
<b>Muehlmeier</b>	Middle Court Yard	Softball field
<b>South Hall</b>	Parking Lot A	Day Care Parking Lot
<b>Presidents House</b>	Parking Lot C	Campus Center Courtyard

## Description of On-Campus Student Housing Facility Fire Safety Systems

Building:	Fire Alarm Monitoring Done off site by Priority ONE	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/Placards Posted	Number of Evacuation (Fire)Drills Each Year
Krueger Hall	X		X	X	X	2
Brotz Hall	X	X	X	X	X	2
Friedli	X		X	X	X	2
Hofer	X		X	X	X	2
Grosshuesch	X		X	X	X	2
Muehlmeier	X		X	X	X	2
<b>APARTMENTS</b>						
HILL *						
KURTZ	X		X	X	X	2
MORLAND	X		X	X	X	2
SOUTH HALL	X	X	X	X	X	2

**Note\*: Residence Hall closed due to fire damage**

### 2015 Fire Statistics for Lakeland University Student Housing Facilities

Lakeland University reports **One** fire in student housing for 2015; as a result, there have been **One** injury, **Zero** deaths, and **Major** property damage due to a fire in student housing.

A “fire” is defined as “any instance of an open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.”

## Fire Statistics for On-Campus Student Housing Facilities

Residence Halls	2015				
	Number of Fires	Cause of Fire	Number of Injuries requiring medical attention	Number of Deaths related to fire	Value of Property Damage caused by fire
A.M. Krueger W3725 North Drive	0	n/a	0	0	\$0
Brotz Hall W3745 North Drive	0	n/a	0	0	\$0
Grosshuesh W3781 South Drive	0	n/a	0	0	\$0
Hill 1-4 * W3732 Reineking Court					
Hill 5-8 * W3728 Reineking Court	1	Cooking	1	0	>\$1000000
Kurtz 1-4 W3768 Reineking Court	0	n/a	0	0	\$0
Kurtz 5-8 W3762 Reineking Court	0	n/a	0	0	\$0
Moreland 1-4 W3756 Reineking Court	0	n/a	0	0	\$0
Moreland 5-8 W3752 Reineking Court	0	n/a	0	0	\$0
South 1-4 W3710 Reineking Court	0	n/a	0	0	\$0
South 5-8 W3706 Reineking Court	0	n/a	0	0	\$0
Muehlmeier W3753 South Drive	0	n/a	0	0	\$0
Friedli/Hofer W3760 North Drive	0	n/a	0	0	\$0
<b>Total</b>	<b>1</b>		<b>1</b>	<b>0</b>	<b>&gt;\$1000000</b>

Note\*: Residence Hall closed due to fire damage

<b>2014</b>					
<b>Building</b>	<b>Number of Fires</b>	<b>Cause of Fire</b>	<b>Number of Injuries requiring medical attention</b>	<b>Number of Deaths related to fire</b>	<b>Value of Property Damage caused by fire</b>
A.M. Krueger W3725 North Drive	0	n/a	0	0	\$0
Brotz Hall W3745 North Drive	<b>1</b>	<b>Open flame</b>	<b>0</b>	<b>0</b>	<b>\$1-99</b>
Grosshuesh W3781 South Drive	0	n/a	0	0	\$0
Hill 1-4 W3732 Reineking	0	n/a	0	0	\$0
Hill 5-8 W3728 Reineking	0	n/a	0	0	\$0
Kurtz 1-4 W3768 Reineking	0	n/a	0	0	\$0
Kurtz 5-8 W3762 Reineking	0	n/a	0	0	\$0
Moreland 1-4 W3756 Reineking	0	n/a	0	0	\$0
Moreland 5-8 W3752 Reineking	0	n/a	0	0	\$0
South 1-4 W3710 Reineking	0	n/a	0	0	\$0
South 5-8 W3706 Reineking	0	n/a	0	0	\$0
Muehlmeier W3753 South Drive	0	n/a	0	0	\$0
Friedli/Hofer suites W3760 North Drive	0	n/a	0	0	\$0
<b>Total</b>	<b>1</b>		<b>0</b>	<b>0</b>	<b>\$1-99</b>

	2013				
<b>Building</b>	<b>Number of Fires</b>	<b>Cause of Fire</b>	<b>Number of Injuries requiring medical attention</b>	<b>Number of Deaths related to fire</b>	<b>Value of Property Damage caused by fire</b>
A.M. Krueger W3725 North Drive	0	n/a	0	0	\$0
Brotz Hall W3745 North Drive	0	n/a	0	0	\$0
Grosshuesh W3781 South Drive	0	n/a	0	0	\$0
Hill 1-4 W3732 Reineking	0	n/a	0	0	\$0
Hill 5-8 W3728 Reineking	0	n/a	0	0	\$0
Kurtz 1-4 W3768 Reineking	0	n/a	0	0	\$0
Kurtz 5-8 W3762 Reineking	0	n/a	0	0	\$0
Moreland 1-4 W3756 Reineking	0	n/a	0	0	\$0
Moreland 5-8 W3752 Reineking	0	n/a	0	0	\$0
South 1-4 W3710 Reineking	0	n/a	0	0	\$0
South 5-8 W3706 Reineking	0	n/a	0	0	\$0
Muehlmeier W3753 South Drive	0	n/a	0	0	\$0
Friedli/Hofer suites W3760 North Drive	0	n/a	0	0	\$0
<b>Total</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>\$0</b>