

**~~CURRENT POLICY: GEN 1.2.(5). Relationship Violence Policy.~~**

~~1.—Introduction.~~

~~Sexual assault, sexual harassment, domestic or dating violence and stalking are related phenomena and are referred to in this policy under the general title of relationship violence. However, each has unique characteristics and the University of Wisconsin Oshkosh chooses to address each in separate sections of this policy in order to enhance understanding and access to resources.~~

~~2.—Policy Statement.~~

~~As a matter of policy, relationship violence, including all forms of sexual assault, sexual harassment, domestic or dating violence, and stalking will not be tolerated in the University community. The University of Wisconsin Oshkosh is an educational community bound by common standards of conduct and a commitment to its educational mission. Relationship violence is a particularly troubling violation of our community standards because it interferes with the educational mission by:~~

- ~~•—Endangering the physical and emotional safety of community members;~~
- ~~•—Damaging trust and security of community members;~~
- ~~•—Offending the dignity and violating the autonomy of community members; and~~
- ~~•—Disrupting the academic progress of victims at the time of the violation and during any subsequent attempt at recovery.~~

~~Portions of this policy may parallel legal statutes, but are in no way intended to substitute or supplant these laws. As members of the University community, employees are expected to comply with and abide by the University policies and guidelines, in addition to federal, state, and local laws whether they are on or off campus. The use of alcohol and other drugs in conjunction with an incident of relationship violence does not diminish accountability for committing these acts or lessen the seriousness of the offense.~~

~~University policy specifically prohibits any form of retaliation or reprisal against persons who report sexual harassment, sexual assault, domestic/dating violence, or stalking and who prevent the recurrence of such crimes. Forms of retaliation that are prohibited include, but are not limited to, the following:~~

threats; bribes; unfair treatment; down-grading evaluations in employment or academic arenas; further harassment such as ridicule, pranks, harassment, taunting, bullying, and organized ostracism.

In order to provide for the needs of victims, as well as to enforce standards of conduct critical to our mission, it is vital that all violations of this policy are reported to appropriate authorities. Employees experiencing relationship violence or who have questions about their experiences are encouraged to use services provided by the Office of Equity & Affirmative Action, Campus Victim Advocates, Counseling Center, Employee Assistant Program, University Police, and other support services on campus.

Procedures for on-campus disciplinary action to be taken when a student is accused are covered in UWS Chapter 17 as found herein. Copies of the Student Discipline Code are available in the Dean of Students Office. In cases of alleged relationship violence, (1) the accuser and the accused shall be provided an opportunity to be represented during the course of disciplinary hearing and (2) both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceedings concerning alleged relationship violence under parameters of federal and state law, and University policy.

## REVISED POLICY

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### The University of Wisconsin Oshkosh Policy # GEN 1.2. (5). Sexual Violence Policy

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Original Issuance Date:

Last Revision Date: July 25, 2017

Next Review Date:

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#### 1. Purpose

This policy prohibits acts of sexual violence and sexual harassment on university property, at university-sanctioned or university-affiliated events, and where off-campus conduct affects a member of the university community. The university is committed to educating its community and to promptly and effectively respond to and redress conduct that violates this policy. This policy provides the UW-Oshkosh community with information and resources to identify, report, and respond to sexual violence and sexual harassment including sexual assault, stalking, and dating and domestic violence. These efforts support the overall missions of UW-Oshkosh and the UW System.

#### 2. Responsible Officer

Director of Equal Opportunity & Access and Title IX Coordinator

### 3. Scope

This policy applies to all university students and employees.

### 4. Introduction

Sexual assault, sexual harassment, domestic or dating violence and stalking are related phenomena and are referred to in this policy under the general title of relationship violence. As a matter of policy, relationship violence, including all forms of sexual assault, sexual harassment, domestic or dating violence, and stalking will not be tolerated in the University community. The University of Wisconsin Oshkosh is an educational community bound by common standards of conduct and a commitment to its educational mission. Relationship violence is a particularly troubling violation of our community standards because it interferes with the educational mission. As members of the University community, students and employees are expected to comply with and abide by University policies and guidelines, in addition to federal, state, and local laws.

### 5. DEFINITIONS

**Complainant.** Any individual who is reported to have been subjected to sexual harassment, sexual assault, dating violence, domestic violence, or stalking, as defined in the relevant Administrative Code provisions or policies. See, e.g., Chs. [UWS 4.015](#) (faculty), [UWS 11.015](#) (academic staff), and [UWS 17.02\(2m\)](#) (students).

**Confidential Employee.** Any employee, who is a licensed medical, clinical, or mental health professional, when acting in that role in the provision of services to a patient or client who is a university student or employee. A Confidential Employee will not report specific information concerning a report of sexual violence or sexual harassment received by that Employee in the Employee's professional capacity unless with the consent of the reporting individual or unless required by the Employee's license or by law.

**Confidential Resource.** Individuals or agencies in the community, whose professional license or certification permits that individual or agency to preserve the confidentiality of the patient or client.

**Consent.** Words or overt actions by a person who is competent to give informed consent, indicating a freely given agreement to have sexual intercourse or sexual contact. A person is unable to give consent if the person is incapacitated because of drugs, alcohol, physical or intellectual disability, or unconsciousness [[§. 940.225\(4\), Wis. Stats.](#)].

**Dating Violence.** Violence committed in a "dating relationship," which is defined as a romantic or intimate social relationship between two adult individuals; "dating relationship" does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context. A court shall determine if a dating relationship existed by considering the length of the

relationship, the type of the relationship, and the frequency of the interaction between the adult individuals involved in the relationship [[§ 813.12\(1\)\(ag\), Wis. Stats.](#)].

**Domestic Violence.** Any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver's care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common [[§§ 813.12 \(1\)\(am\) and 968.075, Wis. Stats.](#)]:

1. Intentional infliction of physical pain, physical injury, or illness.
2. Intentional impairment of physical condition.
3. A violation of the state statute regarding sexual assault [[§ 940.225\(1\), \(2\) or \(3\), Wis. Stats.](#)].
4. A violation of the state statute regarding stalking [[§ 940.32, Wis. Stats.](#)].
5. A violation of the state statute regarding damage to property [[§ 943.01, Wis. Stats.](#)], involving property that belongs to the individual.
6. A threat to engage in any of the conduct under 1 through 5 listed above [[§§ 813.12 \(1\)\(am\) and 968.075, Wis. Stats.](#)].

**Employee.** Any individual who holds a faculty, academic staff, university staff, limited, student employment, employee-in-training, temporary, or project appointment. (See, e.g., UPS Operational Policy, GEN 0, General Terms and Definitions (<https://www.wisconsin.edu/ohrwd/download/policies/ops/gen0.pdf>))

**Executive Order 54.** Executive Order issued by Governor Walker in 2011 requiring that university employees report incidents of child abuse and neglect which they observe or witness in the course of their employment. Such reports must be personally and immediately made to law enforcement or the county department of social services or human services. ([https://docs.legis.wisconsin.gov/code/executive\\_orders/2011\\_scott\\_walker/2011-54.pdf](https://docs.legis.wisconsin.gov/code/executive_orders/2011_scott_walker/2011-54.pdf))

**Hostile Environment.** A hostile work, academic, or program-related environment is created when one engages in harassment that consists of unwelcome verbal or physical conduct directed at another individual because of that individual's gender, and that has the purpose or effect of creating an intimidating, hostile, or offensive work, academic, or program-related environment or has the purpose or effect of substantially interfering with that individual's work or academic performance. Substantial interference with an employee's work or academic performance or creation of an intimidating, hostile, or offensive work, academic, or program-related environment is established when the conduct is such that a reasonable person under the same

circumstances as the student or employee would consider the conduct sufficiently severe or pervasive to interfere substantially with the person's work or academic performance or to create an intimidating, hostile, or offensive work or learning environment. [See, e.g., [§ 111.36\(1\)\(b\), Wis. Stats.](#)]

**Incapacitation.** As it applies to this policy, the state of being unable to physically and/or mentally make informed rational judgments and effectively communicate, and may include unconsciousness, sleep, or blackouts, and may result from the use of alcohol or other drugs. Where alcohol or other drugs are involved, evaluation of incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects a person's decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness. The assessment is based on objectively and reasonably apparent indications of incapacitation when viewed from the perspective of a sober, reasonable person.

**Office for Civil Rights.** The U.S. Department of Education office that is responsible for enforcing Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and other education-based discrimination acts. <http://www2.ed.gov/about/offices/list/ocr/complaints-how.html>

**Preponderance of the Evidence.** Information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than "clear and convincing evidence" and is the minimum standard for a finding of responsibility. [Sections [UWS 17.02\(13\)](#), [UWS 11.015\(7\)](#), [UWS 4.015\(7\)](#), and [UWS 7.015\(5\)](#), Wis. Admin. Code]

**Respondent.** A student who is accused of violating a policy under Chapter UWS 17, Wis. Admin. Code, or an employee who is accused of violating a policy under Chapters UWS [4](#), [7](#), or [11](#), Wis. Admin. Code.

**Responsible Employee.** Any employee (other than a "confidential resource"):

1. Who has the authority to take action to redress sexual misconduct;
2. Who has been given the duty of reporting incidents of sexual misconduct by students or employees to the Title IX coordinator or other appropriate school designee; or
3. Who a student could reasonably believe has this authority or duty. April 29, 2014 "Dear Colleague Letter", *available at* <http://www2.ed.gov/about/offices/list/ocr/docs/ga-201404-title-ix.pdf>.

**Retaliation.** An adverse action taken against an individual in response to, motivated by, or in connection with an individual's complaint of discrimination or discriminatory harassment, participation in an investigation of such complaint, and/or opposition of discrimination or discriminatory harassment in the educational or workplace setting.

**Sex Discrimination.** Discrimination on the basis of sex or gender. Sexual harassment and sexual assault are forms of sex discrimination. [See [20 USC §§ 1681-1688](#)]

**Sexual Assault.** Sexual contact or sexual intercourse with another person without the consent of that person.

1. **FIRST DEGREE SEXUAL ASSAULT.** Engaging in any of the following constitutes First Degree Sexual Assault:

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

2. **SECOND DEGREE SEXUAL ASSAULT.** Engaging in any of the following constitutes Second Degree Sexual Assault:

- a. Sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- b. Sexual contact or sexual intercourse with another person without consent of that person causing injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.
- c. Sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.
- d. Sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.
- e. Sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
- f. Sexual contact or sexual intercourse with another person without the consent of that person, aided or abetted by one or more other persons.

3. **THIRD DEGREE SEXUAL ASSAULT.** Sexual intercourse with a person without the consent of that person.

4. FOURTH DEGREE SEXUAL ASSAULT. Sexual contact with a person without the consent of that person. [[§ 940.225, Wis. Stats.](#)]

**Sexual Contact.** Intentional touching, whether direct or through clothing, if that intentional touching is for the purpose of sexually degrading or sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery under [§ 940.19\(1\)](#) or [§ 940.225\(5\)\(b\)\(1\), Wis. Stats.](#)

**Sexual Harassment.** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience, (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such an individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment. [Adapted from [29 C.F.R. § 1604.11 \(1980\)](#).]

**Sexual Intercourse.** Penetration, as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening either by the defendant or upon the defendant's instruction [[§ 940.225\(5\)\(c\), Wis. Stats.](#)].

**Sexual Violence.** The phrase, as used in this policy, refers to incidents involving sexual assault, sexual harassment, stalking, dating violence, and domestic violence.

**Stalking.** Intentionally engaging in a course of conduct that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury to or the death of himself or herself or a member of his or her family or household [[§. 940.32, Wis. Stats.](#)].

**Student.** "Student" means any person who is registered for study in a University of Wisconsin System institution for the academic period in which the alleged act of sexual violence or sexual harassment occurred, or between academic periods for continuing students. [See [Chapter UWS 17.02\(14\), Wis. Admin. Code.](#)]

**Title IX.** Title IX of the Education Amendments of 1972 (20 U.S.C. sec. 1681 et seq.; 34 C.F.R. Part 106)(as amended) is a federal law that states, "[n]o 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 education program or activity receiving Federal financial assistance." [20 U.S.C. § 1681\(a\).](#)

**Title IX Coordinator (and Deputies).** An employee designated to coordinate compliance with Title IX, who plays an important role in an institution's efforts to ensure equitable opportunity for all students and employees, and who works with school officials to remind the school community that students and employees must have equal access to all programs. (Adapted and revised from

April 24, 2015, "Dear Colleague Letter" available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201504-title-ix-coordinators.pdf>).

**Trauma-Informed Care.** Trauma-informed care reflects an understanding of trauma and emphasizes creating services and programs that are sensitive and directly responsive to the trauma that many victims and survivors experience following a violent crime. Trauma-informed care programs identify and limit potential triggers to reduce their re-traumatization and protect their mental and emotional health. <https://www.justice.gov/ovw/blog/importance-understanding-trauma-informed-care-and-self-care-victim-service-providers>. Trauma-informed care is an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma. Trauma-informed care also emphasizes physical, psychological and emotional safety for both consumers and providers, and helps survivors rebuild a sense of control and empowerment. See also: <http://www.traumainformedcareproject.org/resources/SAMHSA%20TIC.pdf>; and [http://www.nsvrc.org/sites/default/files/publications\\_nsvrc\\_guides\\_building-cultures-of-care.pdf](http://www.nsvrc.org/sites/default/files/publications_nsvrc_guides_building-cultures-of-care.pdf)

**Violence Against Women Act (VAWA).** Federal law enacted in 1994, which promotes the investigation and prosecution of violent crimes against women, among other objectives. Recently, it affected amendments to the Clery Act [[42 U.S.C. §§ 13701-14040](#)], through the Campus Sexual Violence Elimination Act (SaVE) provision, Section 304.

## 6. POLICY STATEMENT

The mission of University of Wisconsin-Oshkosh is to provide a teaching, learning and working environment in which faculty, staff, and students can discover, examine critically, preserve, and transmit the knowledge, wisdom, and values that will improve quality of life for all. To promote these institutional values, UW-Oshkosh is committed to creating and maintaining a community environment that is free from sexual violence and sexual harassment.

### I. Title IX Statement

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., prohibits discrimination on the basis of sex in any educational program or activity receiving federal financial assistance.

### II. Role and Duties of University Officials and Employees

#### A. Title IX Coordinator

The duties of the UW-Oshkosh Title IX Coordinator are described in the institutional position description. Those duties include but are not limited to: receiving reports of sexual violence and sexual harassment; maintaining appropriate records; providing or supporting the provision of appropriate education and training; maintaining ongoing

communication with any Deputy Title IX Coordinators and the Title IX Committee; investigating allegations of sexual violence and sexual harassment, as appropriate; ensuring that applicable policies, resources, and other information is up-to-date and properly disseminated. The duties of the Title IX Coordinator will be guided by principles of trauma-informed care.

#### B. Title IX Committee

The Title IX committee at UW-Oshkosh meets once per semester to discuss policy implementation and revision; to assess the effectiveness of trainings and educational programming; to address campus climate issues; and to provide guidance to the Title IX Coordinator. The following are offices represented on this committee:

- Vice Chancellor of Student Affairs, Dean of Students, ROTC, Human Resources, University Police, Provost and Vice Chancellor of Academic Affairs, Campus Victim Advocate, University Counseling Center, Office of Equal Opportunity and Access, LGBTQ Resource Center, Intercollegiate Athletics

#### C. Responsible Employees

UW-Oshkosh has designated individuals with the following titles as “responsible employees” under this policy: all supervisors, all employees that interact directly with students, and all employees that students might reasonably believe have some authority to take action or a duty to report. Though not exhaustive, this includes:

- All instructors, including full-time professors, adjuncts, lecturers, AIs, and any others who offer classroom instruction or office hours to students;
- All advisors;
- All faculty advisors to recognized student organizations;
- All coaches, trainers, and other athletic staff that interact directly with students;
- All student affairs administrators;
- All residential hall staff;
- University Police and contracted security personnel;
- Employees who work in offices that interface with students; and
- All employees in a supervisory or management role;
- University officials including but not limited to: Chancellors, Vice Chancellors, Deans, Directors, Department Heads.

These individuals should be properly trained to do the following:

1. Be familiar with definitions of sexual violence and sexual harassment.
2. Be familiar with this and other related policies.
3. Be prepared to respond should an individual report an incident of sexual violence or sexual harassment.
4. Be familiar with resources on campus to which to refer a reporting individual.

#### D. All Employees

In accordance with § 36.11(22), Wis. Stats., employees who witness an act of sexual assault, or who receive a first-hand report of sexual assault from an enrolled student, must report that information to the Office of the Dean of Students. Confidential employees, described below, are only required to report the occurrence of the sexual assault.

All employees must comply with Executive Order 54 which requires that university employees report incidents of child abuse and neglect which they observe or witness in the course of their employment. Such reports must be personally and immediately made to law enforcement or the county department of social services or human services. <http://equity.uwosh.edu/executive-order-54/>

### III. Reporting an Incident of Sexual Violence or Sexual Harassment

#### A. Reporting Options

Those who have been subjected to an incident of sexual violence or sexual harassment, or who have received a report of or witnessed an incident of sexual violence or sexual harassment, have several options for reporting the incident:

1. The individual may elect not to report (unless the individual is an employee who has information about a sexual assault as described in II.D. above)
2. The individual may report information to a confidential employee:

**Employee Assistance Program**

Life Matters  
(800) 634-6433  
Mylifematters.com

**Student Health Center**

Radford Hall  
Phone: (920) 424-2424

**Counseling Center**

Student Success Center, Suite 240  
Phone: (920) 424-2061

**Campus Victim Advocate**

Dempsey Hall 148, Student Affairs Office  
Phone: (920) 424-3127

3. The individual may report information to the campus Title IX Coordinator:

**Title IX Coordinator**

**Office of Equal Opportunity & Access**

Dempsey Hall 337  
Phone: (920) 424-2296  
Email: [afaction@uwosh.edu](mailto:afaction@uwosh.edu)

4. The individual may report information to campus law enforcement:

**University Police**

738 High Ave, Oshkosh  
Emergency: (920) 424-1212  
Non-emergency: (920) 424-1216

5. The individual may report information to local law enforcement:

**City of Oshkosh Police Department**

420 Jackson St, Oshkosh, WI 54901  
Phone: (920) 236-5700 | 911 EMERGENCY

**Winnebago County Sheriff's Office**

4311 Jackson St, Oshkosh, WI 54901  
Phone: (920) 236-7300 | 911 EMERGENCY

**Note:** An individual may make a report to one or more of the offices or individuals noted above.

Individuals have the option to file a complaint with the **U.S. Department of Education, Office for Civil Rights**: <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

**B. Amnesty for Students**

Complainants, victims, and witnesses to incidents of sexual violence, including sexual assault, will not be issued citations or subject to disciplinary sanctions for violations of university policy at or near the time of the incident unless the institution determines that the violation was egregious, including actions that place the health or safety of any other person at risk. **To read Wisconsin's Law:**  
<https://docs.legis.wisconsin.gov/2015/related/acts/279>

**C. Confidentiality**

Individuals, including victims, who report to any of the offices or individuals noted above, or to any other university employee, except those noted as confidential in III(A)(3) above, cannot be assured absolute confidentiality. However, information provided in the report and in any subsequent, related proceeding will be maintained in a confidential

manner; only those individuals who have a need to know to fulfill obligations consistent with university policies or laws will be privy to certain information.

#### D. Resources and Accommodations

##### 1. Accommodations

The university will work with individuals involved in alleged incidents of sexual violence and sexual harassment to undertake appropriate measures to assist in their safety and wellbeing. These may include: no-contact directives, academic or work modifications, and relocation of living or working space.

##### 2. Resources

The university offers a variety of resources that are available to individuals involved in incidents of sexual violence or sexual harassment, including the following:

#### **NON-Confidential On-Campus: Reporting, Assistance, Support**

##### **Office of Equal Opportunity & Access**

Dempsey Hall 337  
Phone: (920) 424-2296

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

Dempsey Hall 125  
Phone: (920) 424-3100

##### **University Police**

738 High Ave, Oshkosh  
Emergency: (920) 424-1212  
Non-emergency: (920) 424-1216

##### **Department of Residence Life**

236 S Gruenhagen  
Phone: (920) 424-3212

#### **CONFIDENTIAL ON-Campus: Reporting, Assistance, Support**

The following are **CONFIDENTIAL** resources, support and reporting options at UW Oshkosh.

##### **Employee Assistance Program**

Student Success Center, Suite 240  
Phone: (920) 424-2061

##### **Student Health Center**

Radford Hall  
Phone: (920) 424-2424

##### **Counseling Center**

Student Success Center, Suite 240  
Phone: (920) 424-2061

**Campus Victim Advocate**

Dempsey Hall 148, Student Affairs Office  
Phone: (920) 424-3127

**OFF-Campus: Reporting, Assistance, & Support**

**City of Oshkosh Police Department**

420 Jackson St, Oshkosh, WI 54901  
Phone: (920) 236-5700 | 911 EMERGENCY

**Winnebago County Sheriff's Office**

4311 Jackson St, Oshkosh, WI 54901  
Phone: (920) 236-7300 | 911 EMERGENCY

**Sexual Assault Nurse Examiner**

855 North Westhaven Dr, Oshkosh, WI 54904  
Phone: (920) 456-7420

**Christine Ann Domestic Abuse Services, Inc.**

206 Algoma Blvd, Oshkosh, WI 54901  
24-hour Crisis Line: (920) 235-5998 | (800) 261-5998

**REACH Counseling Services**

1509 South Commercial St, Neenah, WI 54956  
Phone: (920) 722-8150

**Sexual Assault Crisis Center-Fox Cities**

17 Park Place #400, Appleton, WI 54914  
Phone: (920) 733-8119

**E. Procedures**

1. When a report is made to the Title IX Coordinator alleging that a student has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

Chapter UWS 17 Student Nonacademic Disciplinary Procedures  
[https://docs.legis.wisconsin.gov/code/admin\\_code/uws/17](https://docs.legis.wisconsin.gov/code/admin_code/uws/17)

2. When a report is made to the Title IX Coordinator alleging that a faculty *member* has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

UW Oshkosh Handbook [FAC 9.C Faculty Complaints](#)

Chapter UWS 4 Procedures for Dismissal  
[https://docs.legis.wisconsin.gov/code/admin\\_code/uws/4](https://docs.legis.wisconsin.gov/code/admin_code/uws/4)

Chapter UWS 6 Complaints & Grievances  
[https://docs.legis.wisconsin.gov/code/admin\\_code/uws/6](https://docs.legis.wisconsin.gov/code/admin_code/uws/6)

Chapter UWS 7 Dismissal of Faculty in Special Cases  
[https://docs.legis.wisconsin.gov/code/admin\\_code/uws/7](https://docs.legis.wisconsin.gov/code/admin_code/uws/7)

3. When a report is made to the Title IX Coordinator alleging that a member of the academic staff has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

UW Oshkosh Handbook [ACS Chapter 16 Complaints](#)

Chapter UWS 11 Dismissal of Academic Staff for Cause  
[https://docs.legis.wisconsin.gov/code/admin\\_code/uws/11](https://docs.legis.wisconsin.gov/code/admin_code/uws/11)

Chapter UWS 13 Complaints & Grievances  
[https://docs.legis.wisconsin.gov/code/admin\\_code/uws/13](https://docs.legis.wisconsin.gov/code/admin_code/uws/13)

4. When a report is made to the Title IX Coordinator alleging that a member of the university staff has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

University Staff Personnel Rules Grievances  
[http://www.uwosh.edu/provost/Main%20Highlight/handbooks/REVISED\\_UPS\\_Local\\_Grievance\\_Policy.pdf](http://www.uwosh.edu/provost/Main%20Highlight/handbooks/REVISED_UPS_Local_Grievance_Policy.pdf)

5. When a report is made to campus law enforcement alleging that an individual has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

Fox Valley Sexual Assault Response Team (SART) Law Enforcement Protocol  
<https://drive.google.com/open?id=0B6maQdzzApQpM1Q4cnYtN1IQbEk>

6. When a report is made to local law enforcement alleging that an individual has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

Fox Valley Sexual Assault Response Team (SART) Law Enforcement Protocol  
<https://drive.google.com/open?id=0B6maQdzzApQpM1Q4cnYtN1IQbEk>

When a report is made to more than one of the offices noted above, the offices will endeavor to cooperate as they are able. Attempts will be made to limit the number of times a complainant or respondent is required to repeat information about the allegations.

F. Prompt Resolution

The offices and individuals receiving a report of sexual assault or sexual harassment will endeavor to resolve the matter in a timely manner, with consideration to available information and context.

#### 1. Potential Sanctions

The procedures identified above provide for disciplinary action against staff members and students who are found responsible for violating University policy. Such sanctions may include restrictions on a course or program, suspension, expulsion, suspension and dismissal from academic duties. Chapter UWS 17.10, Wis. Admin. Code provides a more comprehensive list of potential sanctions against students. Employee sanctions may include suspension from duties and dismissal.

#### 2. Notice of Outcome

Both the complainant and the respondent will be provided with notice of the outcome of the final resolution of the complaint.

#### G. Prohibition Against Retaliation

This policy prohibits retaliation against an individual who reports, assists an individual in reporting, or participates in proceedings involving an allegation of sexual violence or sexual harassment. Retaliation under this policy includes threats, intimidation, or adverse employment/academic actions. Those who believe they have been subjected to retaliation under this section may report the allegations to the Title IX Coordinator or Deputy, campus law enforcement, or local law enforcement. (See contact information above.)

#### H. False Accusations

Knowingly making a material misstatement of fact in connection with reporting under this policy may subject the individual to disciplinary action. Anyone who believes that they have been the subject of a false complaint may meet with the Title IX Coordinator to discuss the allegations. The filing of a complaint that does not result in a finding of prohibited conduct is not alone evidence of the intent to file a false complaint.

#### I. Education and Training

The Title IX Coordinator will be primarily responsible for facilitating the training and educational programs to the campus community. At a minimum, all students and employees will be required to complete the campus-supported on-line training covering issues of sexual violence and sexual harassment.

The Chancellor or designee will identify and offer more in-depth training for employees who are executives, supervisors, managers, directors, department heads, responsible employees, and those connected with the disciplinary process.

#### J. Record Keeping and Data Collection

As noted above, the Title IX Coordinator will maintain records of reports of sexual violence and sexual harassment consistent with the institutional records-retention policy. In addition, the Title IX Coordinator will track compliance with mandatory training programs, and maintain a list of training and education offered on campus.

The UW-Oshkosh University Police Department or other appropriate office will collect, maintain, and submit the Annual Security Report, consistent with the federal Clery Act.

The Office of the Dean of Students, or other appropriate office, will collect appropriate data and compile the state report required under § 36.11(22), Wis. Stats.

#### K. Assessment

The University of Wisconsin Oshkosh will conduct a study that seeks to gather data and information concerning sexual violence and harassment on or near campus. Efforts will be made to conduct such a study once every 5 years. All students and employees are encouraged to participate. The office will also work to design methods for effectively evaluating the outcomes of campus training and educational programming. It is imperative that UW System institutions proactively integrate empirically informed assessment and evaluations into sexual violence and harassment prevention and awareness programs to measure whether they are achieving the intended outcomes.