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# Gateway Technical College Campus Security

The Elkhorn Campus, 400 County Road H., has four main buildings and two associated buildings in Burlington, WI. The Burlington Center, 496 McCanna Pkwy, Burlington, WI and the Hero Center, 380 McCanna Pkwy, Burlington, WI are considered part of the Elkhorn Campus for the purposes of this report. The campus features 14 Associate Degree options, as well as numerous Advanced Technical Diplomas and certificates.

College practices advise that whenever a campus community member needs assistance with an incident that poses a threat to persons or property, 911 must be utilized to address the immediate need.

The dean of campus affairs, serves as the campus administrator responsible for the safety and security of the campus and assures that campus security is maintained to a high standard. The 400 County Road H. location houses the office of campus security (South Building-109). Campus security is staffed by a private security firm. Officers do not have arrest powers and will contact local law enforcement whenever assistance is needed with a situation or criminal act. Campus security has the primary responsibility for security services for all campus buildings except for the two buildings in Burlington, WI. Security performs the function of patrolling the campus, serving as the designated first responders for medical emergencies, monitoring of campus video security system, the point of contact for the campus community and enforcement of college policies and procedures.

Campus security's relationship with the campus community is vital to a safe and secure campus. The quality of services and response is dependent on an active participation of the community and an on-going effort in providing feedback on the department's efforts. In response, all members of the community should expect to be treated in a courteous and professional manner by the campus security officers.

Please help us improve our security efforts by directing compliments and concerns to the attention of the dean of campus affairs for the campus.

The task of maintaining a safe environment cannot be accomplished without the assistance and cooperation of the entire campus community. Safety is a shared responsibility that involves members of the community and campus security working cooperatively to solve problems and proactively address issues that will reduce the likelihood of crime occurring on our campus. This report provides information about safety and security programs and services available at Gateway Technical College.

Posted later in this report are the crime statistics on the incidents that have occurred within the area defined by The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("the Clery Act".) These reported statistics include those received from local municipal police for the public areas immediately adjacent to the campus.

We hope you will find this report valuable, it is prepared by the dean of campus affairs, Gary Flynn and Ray Koukari. Please review the information carefully. Personal safety is a shared responsibility of the college and its students and visitors. We need your assistance in helping to make our campus a safe environment. If you have any question or suggestions about security at Gateway Technical College, please feel free to contact your dean of campus affairs at 262-741-8538 or by sending an email to [odonnellm@gtc.edu](mailto:odonnellm@gtc.edu).

# The Clery Act

The Campus Security Act requires institutions of higher education to publish an annual report every year that contains three years of campus crime statistics, advises the campus community of certain campus security policies. Additionally, the act defines the requirements of providing the campus community with “timely warnings” of identified crimes that pose an ongoing threat to the campus community, the maintenance of a public crime log of incidents that have been reported to the college and disclose any security agreements with state and/or local law enforcement.

The Gateway Technical College director of security is responsible for the reporting of crime statistics and the preparation of the annual report. Statistics are gathered from campus security reports and local law enforcement agencies (Kenosha Police Department.)

We encourage members of the campus community to use this report as a guide for safe practices. It is available on the web at <http://www.gtc.edu>. Annually, each member of the college community receives an email that announces the publication of the report and the link to access the report. If a paper copy of the report is required contact the dean of campus affairs at 262-741-8538, office E227A in the North building or mail to dean of campus affairs, Gateway Technical College, 400 County Road H, Elkhorn, WI, 53121.

Community members wishing to view the crime log may do so during business hours in the dean of campus affairs office, E227A, North Building.

Criminal Offense-On Campus	2012	2013	2014
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	0	0
Sex Offenses-Non-Forcible	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hate Crimes involving bodily injury	0	0	0
Liquor Law Arrests	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0
Drug Law Arrests	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0
Illegal Weapons Possession Arrests	0	0	0
Illegal Weapons Possession Referrals for Disciplinary Action	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Sexual Assault	0	0	0
Stalking	0	0	0

\*Gateway Technical College did not record any Hate Crimes for the years reported in the chart.

Location Definitions from the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act  
 On-Campus: (1) Any building or property which is owned or controlled by an institution within the same reasonably contiguous geographic area used by the institution in direct support of, or in a manner related to , the institution’s educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution, but controlled by another person, is frequently used by students and supports institutional purposes (examples include food or retail vendor.)

Criminal Offense-Public Property	2012	2013	2014
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	0	0
Sex Offenses-Non-Forcible	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hate Crimes involving bodily injury	0	0	0
Liquor Law Arrests	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0
Drug Law Arrests	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0
Illegal Weapons Possession Arrests	0	0	0
Illegal Weapons Possession Referrals for Disciplinary Action	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Sexual Assault	0	0	0
Stalking	0	0	0

\*Gateway Technical College did not record any Hate Crimes for the years reported in the chart.

Non-Campus Building or Property: (1) Any building or property owned by a student organization that is officially recognize by the institution; or (2) 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. Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to land accessible from the campus. Reported crime statistics do not include crimes that occur in privately owned homes or businesses on adjacent to Gateway Technical College’s campus.

All crimes are defined by the National Incident Reporting System of the Uniform Crime Reporting Program.

# Incident and Crime Reporting

Gateway Technical College utilizes a web based product *Maxient* for reporting campus crimes and incidents. The *Maxient* system allows the campus community 24/7 access to the reporting process. All community members are encouraged to complete a report for any incidences that they may be a victim of or a witness to. If a reporter wished to remain anonymous they may do so, however, the college requests, if at all possible, that the reported identify themselves. By doing so, the college will not be able to obtain any additional information necessary to investigate the incident. The college will make every effort to limit the release the identification of persons reporting incidents, however, total anonymity cannot be guaranteed.

The Clery Act does allow information, received by a college professional counselor in confidence, to not be reported without the reporter's permission. Professional counselors, if and when they deem it appropriate, are encouraged to inform reporters they are counseling of the procedures to report an incident or crime to the college for inclusion in the annual disclosure of crime statistics. A Professional Counselor is defined as: a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of her/her license or certification. All reporters who are reporting a crime will be encouraged to report the crime to local law enforcement, in addition to filling out a *Maxient* report. College security and administrative personnel will assist any reporter with the process. Gateway Technical College does not have any off-campus student organizations.

## Timely Warning Notification

Gateway Technical College will issue a "timely warning" notice whenever a Clery crime or hazardous situation has been confirmed by the college and is considered to pose a serious or continuing threat to students, employees or property. Timely warnings may be issued for the following crime classifications: aggravated assault, arson, burglary, criminal homicide, hate crime involving bodily injury, motor vehicle theft, robbery and sex offenses. Timely warnings may be issued for other safety-related incidents. The director of safety and security, dean of campus affairs, or member of the executive leadership council will review all reported incidents to determine if there is an on-going threat to the campus community. If it is determined that an incident rises to the "timely warning" level, the college will typically utilize Gateway Technical College's ALERT-ME system to notify the campus community.

Other means of notification may be utilized, as the primary or secondary means, if the activator determines that the distribution of the information will be enhanced by other means.

## ALERT-ME

The ALERT-ME system is an electronic communications system that will transmit "timely warnings" to all active Gateway Technical College students and staff to their college email. The message will also transmit a ribbon message to all college owned computers that are actively log onto the college's informational network and to selected wall mounted *ALERTUS* beacons located throughout college own/operated buildings. Additionally, all persons who have enrolled in the college will receive an email message to their private email account and/or

text message via their cell phone, unless they have opted out of the system. Once an ALERT-ME message has been transmitted supplemental information may be posted to the SAFETY page of the college's website. To enroll in the ALERT-ME system or find additional information check the Security web page of the college's website.

An annual operational test of the ALERT-ME system is conducted several times throughout the year. Co-located with the *ALERTUS* beacons are building maps that display the location of building egress routes, location of fire extinguishers, fire alarm pull stations and defibrillators. In the event of severe weather campus locations have been identified with a wall mounted "flag" sign holder as weather refuge areas.

Emergency procedure "flip-charts" are distributed throughout the buildings. These documents have been created to provide a template for the response to emergency situations. Procedures have been developed to assist in coordinating a response to an emergency situation. Note: The College is not able to anticipate all possible scenarios, and as such this document should be utilized as a guide when a situation arises that is not directly covered by the identified procedures.

## Emergency Response Plan

Gateway Technical College has and publishes an Emergency Response Plan (ERP) for the campus. The document is available on the SAFETY web page of the college's website.

The ERP provides the framework for the college's response to incidents that occur on campus. The ERP describes the classification of emergencies into Minor, Major and Disaster. When an incident occurs, the college president, or the president's designee, will determine the classification of the incident and level of the college's response.

When the ERP is initiated two response teams are activated. The first team will be campus based team that is responsible for directly addressing the incident. The second team is district based and will be responsible for supporting the efforts of the campus based team. All plans have been formulated utilizing the National Incident Management System (NIMS.) By utilizing NIMS the college is positioned to integrate its response with that of the local first responders. Gateway Technical College administrative staff members receive annual ERP training. On-going drills and an annual (minimum) ERP exercise (table top or actual exercise) are conducted to train and test the policies and process that have been established in the ERP. Staff members who have been identified in leadership roles of the ERP have been trained in Incident Command. If a serious incident occurs that causes and immediate threat to the campus local first responders will be called to the campus to handle the response to the incident.

## Evacuation Procedures

Gateway Technical College regularly conducts fire drills requiring evacuation of its facilities. These drills, conducted on a monthly basis, are both announced and unannounced. These drills are used to:

Familiarize community members to the audible and visible evacuation signals and the exit routes available to use in the event of a fire or other situation that may require immediate evacuation;

Evaluate the performance of the employees and the evacuation procedures for effectiveness.

Evacuation is mandatory for all individuals when the fire alarm is sounding. Anyone who fails to evacuate may face disciplinary action. Once a fire alarm sounds, do not assume that a fire alarm is a drill or false alarm.

Remain calm and evacuate the facility. Remember to follow the instruction of the emergency responders. If you have any information regarding the alarm, present that information immediately to the responding emergency personnel. While evacuating, remain attentive for dangerous or criminal activity that may be associated with the evacuation notice. If you require assistance with evacuating the building you must notify campus security by calling 2208 or by utilizing the call boxes at the top of the stairwells. Do not re-enter the facility until authorized by a member of the campus facilities department or a public service official.

Gateway Technical College does not have any residential facilities on its campus. As such, the college does not include fire statistics reports in this document.

## Affirmative Action/Equal Opportunity Policy

### **POLICY**

The Gateway Technical College District will be fair and impartial in all its relations with its students, employees, and applicants for employment without regard to race, color, national origin, ancestry, creed, religion, political affiliation, marital status, parental status, pregnancy, family or medical leave, disability, age, gender, sexual orientation, arrest record or conviction record, retaliation, union or non-union affiliation, covered veterans membership in the National Guard, state defense force or any reserve component of the military forces of the U.S. or Wisconsin.

### **COMPLIANCE**

The Gateway District is committed to:

1. Compliance with Title VI and Title VII of the 1964 Civil Rights Act, the Age Discrimination in Employment Act, the Equal Pay Act, Title IX of the 1972 Educational Amendments, Section 504 of the 1973 Rehabilitation Act, and the Wisconsin Fair Employment Law, The Americans with Disabilities Act, Drug Free Act 1988, and Uniform Control Substances Act: WI Chapter 161.
2. Elimination of gender-based discrimination and gender-based stereotyping in vocational education as mandated by the 1976 Vocational Education Amendments.
3. Compliance with the 1979 Office of Civil Rights Guidelines for the elimination of discrimination in vocational education.
4. Compliance with 1989 Wisconsin Act 186, which relates to discrimination against students in the Technical College System. Students who allege a violation of this Act must file written complaint within 300 days to the day the incident took place.

### **EQUAL EMPLOYMENT**

Equal Employment Opportunity includes, but is not limited to, the following areas: recruitment, selection, hiring, training, promotion, transfer, layoff, retention, return from layoff, compensation and fringe benefits, terminations, certification, testing, and committee appointments.

### **AFFIRMATIVE ACTION**

The Gateway District is committed to:

1. Designing efforts to reach and maintain an employment level for minorities, persons with disabilities, and

women which is at parity. (Parity figures are determined by the Wisconsin Department of Employment Relations.)

2. Planning activities to recruit and place minority, persons with disabilities, and female persons in the areas where these group members are presently underutilized. Recruitment efforts and resources will be reviewed and updated to improve, to strengthen, and to broaden our recruitment efforts for minority, persons with disabilities, and female applicants.
3. Providing students with all educational and support services in a non-discriminatory way with special emphasis in recruitment and retention on an educational climate conducive and supportive of cultural, ethnic diversity, and persons with disabilities.
4. Supporting employees and applicants for employment with programs developed to address the recruitment, employment, training, promotion and retention needs of minorities, females and persons with disabilities.

### **HARASSMENT**

Harassment against any employee or student on the basis of race, color, gender, national origin, age, disability or other protected status is an unlawful employment and education practice and is prohibited. This action constitutes unlawful behavior if it:

1. has the purpose or effect of creating an intimidating, hostile, or offensive work/classroom environment,
2. has the purpose or effect of unreasonably interfering with an individual's work/classroom performance, or
3. otherwise adversely affects an individual's employment/learning opportunity.

### **SEXUAL HARASSMENT**

Sexual harassment is a form of misconduct that undermines the integrity of the academic and working environment. It is the policy of the college that sexual harassment is prohibited. All members of the college community, especially Gateway Technical College faculty and other individuals who exercise supervisory authority, have an obligation to promote an environment that is free of sexual harassment. Sexual harassment is defined as follows:

1. Harassment on the basis of gender and which creates a hostile work or learning environment is a violation of federal and state law. Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitutes sexual harassment when:
  - a. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or enrollment;
  - b. Submission to or rejection of such conduct by an individual is used as the basis for employment or enrollment decisions affecting such individual;
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or enrollment or creating an intimidating, hostile, or offensive work/learning environment, or
  - d. Such conduct otherwise adversely affects an individual's employment opportunity or enrollment at Gateway.
2. For incidents related to sexual harassment, refer to policy H-140, SEXUAL ASSAULT, MISCONDUCT AND HARASSMENT POLICY.

### **POLICY DISSEMINATION**

The District Affirmative Action Officer shall disseminate this policy statement on behalf of employees, applicants for employment, and students. The District Affirmative Action Officer, Titles VI, VII & IX (hereinafter referred to as AA Officer) shall advise non-represented employees and representative union groups about the District's commitments under this policy. Copies of the Affirmative Action/Equal Opportunity Policy shall be posted in conspicuous places available to employees, applicants for employment, and students. All major publications,



i.e., school handbook, catalog, shall contain the following Affirmative Action Statement:<sup>1</sup>

"It is the policy of Gateway Technical College not to discriminate in admission to, or participation in, its programs and activities on the basis of race, color, national origin, ancestry, creed, religion, political affiliation, marital status, parental status, pregnancy, family or medical leave, disability, age, gender, sexual orientation, arrest record or conviction record, retaliation, union or non-union affiliation, membership in the National Guard, state defense force or any reserve component of the military forces of the U.S. or Wisconsin."

#### **AFFIRMATIVE ACTION PLAN**

The Affirmative Action Compliance Plan will be used to demonstrate our commitments and efforts towards Equal Employment Opportunity. The plan will include specific goals and timetables and result-oriented programs.

#### **CRITERIA FOR FILING EMPLOYEE AND STUDENT DISCRIMINATION COMPLAINT**

Any employee or student who believes an act of discrimination/harassment has occurred and alleges he/she has been denied admission to, participation in, or the benefits of, or discriminated against in any service, program, course, or facility of the college because of the student's race, color, creed, religion, gender, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status may file charges. Any employee or student may challenge a hostile or abusive work/learning environment, even if the harassment is not targeted specifically at them.

#### **COMPLAINT PROCEDURE**

A complaint procedure will be maintained for the purpose of processing charges of discrimination on the basis of gender, race, creed, color, national origin, ancestry, marital status, religion, disability, age (40 and over), arrest or conviction record and political affiliation, or other protected group. See Policy H-12, DISCRIMINATION, SEXUAL HARASSMENT & SEXUAL MISCONDUCT COMPLAINT PROCEDURE.

#### **INTERNAL MONITORING**

The AA Officer will develop and implement an internal monitoring system which will evaluate the effectiveness of the Affirmative Action Program. The AA Officer will report data/information updates annually to the president or designee regarding the Affirmative Action efforts. The internal monitoring system shall describe how Affirmative Action has been taken and/or will be implemented in areas identified through affirmative action monitoring.

#### **AFFIRMATIVE ACTION OFFICER, TITLES VI, VII & IX REPORTING/RESPONSIBILITIES**

The AA Officer will report to the president or designee on major issues affecting the Gateway District as an equal opportunity employer. The AA Officer has responsibility for developing, implementing and monitoring a comprehensive Affirmative Action compliance program for the Gateway District.

#### **EQUAL EDUCATION**

The Gateway District provides equal educational opportunity on the basis of race, color, creed, national origin, ancestry, marital status, gender, and disability in compliance with Title VI of the 1964 Civil Rights Act, Title IX of the 1972 Education Amendments, Section 504 of the 1973 Rehabilitation Act, The Americans with Disabilities Act, Drug Free Act 1988, and Uniform Control Substances Act: WI Chapter 161.

#### **CONTACT PERSONS**

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Coordination of Section 504 of the 1973 Rehabilitation Act and 1972 Education Amendments has been assigned to the Equal Employment Opportunity Officer. The Officers' responsibilities are mandated through the following laws: Executive Order 11246, Revised Order No. 4, Section 504, the Office of Civil Rights Guidelines for Eliminating Discrimination in Vocational Programs, The Americans with Disabilities Act, Drug Free Act 1988, Uniform Control Substances Act: Wisconsin Chapter 161 and other Affirmative Action laws.

Any questions concerning Affirmative Action or Equal Opportunity should be directed to:

Debbie Miller, Director, Human Resources  
 Equal Employment Opportunity Officer, Titles VI, VII & IX  
 3520 30<sup>th</sup> Avenue, Kenosha, WI 53144  
 (262) 564-3220 § (262) 564-2816 TTY § (262) 564-2838 FAX  
 Email: millerd@gtc.edu

Or

Jacqueline Morris, Director, Staffing  
 District Affirmative Action Officer, Titles VI, VII & IX  
 3520 30<sup>th</sup> Avenue, Kenosha, WI 53144  
 (262) 564-3032 § (262) 564-2816 TTY § (262) 564-2838 FAX  
 Email: morrisj@gtc.edu

While responsibility for implementation of the District's Affirmative Action plan has been directed to one person, the entire staff and District share the responsibility. Any student or employee found to have violated this policy shall be subject to discipline proceedings, which may result in suspension or discharge.

Adopted: June 29, 2015

Supersedes: October 12, 2009; June 24, 1999

Reaffirmed &/or Updated: March 22, 2011 (Clarified language & EEO Officer and AA Officer positions); January 11, 2011 & August 2005  
 (District AA Officer information updated.); April 7, 2003 (Updated w/reference to Policy H-140)

### **GATEWAY TECHNICAL COLLEGE AFFIRMATIVE ACTION COMPLAINT EVALUATION**

The evaluation form can be found in Policy H-120 of the Administrative Procedures and College Practices Manual.

*The complete policy can be found in the Administrative Procedures and College Practices Manual. Reference Policy and Procedures on the intranet at <http://intranet.gtc.edu>*

## **Sexual Harassment Policy Statement**

### **POLICY**

Gateway Technical College (Gateway) prohibits rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence. This policy applies to all students, employees, contractors, and visitors of the college.

Sexually violent acts, termed sexual misconduct by Gateway, are violations of the Gateway Student Code of Conduct, Administrative Procedures and College Practices Manual, and can be crimes as well. Sexual misconduct includes, but is not limited to non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex/gender-based stalking and sexual harassment. While Gateway utilizes different standards and definitions than the State of Wisconsin statutes, sexual misconduct often overlaps with crimes of rape, sexual assault, sexual harassment, stalking, retaliation, dating violence and

domestic violence. (Sexual Harassment is also referenced in Policy H-110, Affirmative Action/Equal Opportunity.)

**SEXUAL MISCONDUCT DEFINED**

1. Sexual Misconduct includes, but is not limited to:

<p><b>NON-CONSENSUAL CONTACT</b>                  § Any intentional sexual touching                  § However slight                  § With any object                  § By one person upon another person</p>	<p><b>NON-CONSENSUAL SEXUAL INTERCOURSE</b>                  § Any sexual intercourse                  § however slight                  § With any object                  § By one person upon another person</p>	<p><b>SEXUAL EXPLOITATION</b>                  Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to advantage anyone other than the one being exploited such as</p>
<p><b>STALKING</b>                  A course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.</p>	<p><b>BULLYING/CYBERBULLYING</b>                  Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally (and are not protected by freedom of</p>	<p><b>RELATIONSHIP VIOLENCE</b>                  Violence between those in an intimate relationship to each other.                  § Terms include domestic violence, interpersonal violence, relationship violence,</p>
<p><b>RETALIATION</b>                  Any adverse employment or educational action taken against a person because of the person=s participation in a complaint or investigation of discrimination or sexual misconduct. Also includes retaliation against the victim by the accused or by the accused friends or others who are sympathetic to the accused.</p>		

2. Anyone wishing to officially report such an incident may do so by filing a *Maxient* Report found at <http://www.gtc.edu/security> or by contacting Debbie Miller, Title IX Officer at 262/564-3220. Anyone with knowledge about sexual misconduct or gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence is encouraged to report it immediately.
3. Gateway will investigate such claims promptly and thoroughly. If, for any reason, an individual wishes to complain or inquire regarding sexual misconduct, but feels it would not be appropriate to raise such issues with the Gateway Title IX Officer, the individual may inquire or complain to any dean of Campus Affairs or any officer of Gateway at the level of vice president or above, and such inquiries or complaints will receive a prompt and thorough investigation. If harassment is established, Gateway will discipline the offender. Disciplinary action for violations of this policy can range from verbal or written warnings, up to and including immediate termination from employment or expulsion from Gateway for serious or repeated violations.

**AWARENESS & PREVENTION PROGRAMMING**

1. In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students, Gateway utilizes a range of campaigns, strategies and initiatives to provide awareness, education, risk reduction and prevention programming.
2. Gateway offers programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student=s first semester. These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management and bystander intervention), and discuss institutional policies on sexual misconduct as well as the State of Wisconsin definitions of domestic violence, dating violence, sexual assault, stalking and consent in reference to sexual activity. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-

party intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions.

3. Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, including faculty, often taking the form of campaigns, emails, guest speakers and events.

#### **PROCEDURES FOR ADDRESSING SEXUAL MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, SEXUAL HARASSMENT AND OTHER OF SEX AND GENDER DISCRIMINATION ACTS**

1. Procedurally, when Gateway receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination the Title IX Officer is notified. If the victim wishes to access local community agencies and/or law enforcement for support, Gateway will assist the victim in making these contacts. The Title IX Officer will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations, changes in working situations and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, targeted interventions, etc.). If the victim so desires, they will be connected with a counselor on- or off-campus, as well as an on- or off-campus victim=s advocate. No victim is required to take advantage of these services and resources, but Gateway provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports and procedures, in the form of this document, is provided to all victims, whether they are a student, employee, contractor or visitor, and whether the offense occurred on or off campus.
2. When appropriate upon receipt of notice, the Title IX Officer will cause a prompt, fair and impartial process to be initiated, commencing with an investigation which may lead to the imposition of sanctions, based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. Procedures detailing the investigation and resolution processes of Gateway can be found online at policy H-120.
3. The Title IX Officer is ultimately responsible to assure in all cases that the behavior is brought to an end, Gateway acts to reasonably prevent its recurrence and the effects on the victim and the community are remedied. Gateway is also responsible to assure that training is conducted annually for all advocates, investigators, and appeals officers of Gateway to protect the safety of victims and promote accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process to protect the safety of victims and to promote accountability for those who commit offenses.
4. The investigation (including records of the resolution) conducted by Gateway is confidential. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation are maintained in accordance with State of Wisconsin law and the federal FERPA statute. Any public release of information to comply with the open crime logs or timely warning provisions of the Clery Act will not release the names of victims or information that could easily lead to a victim=s identification. Additionally, Gateway maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures.
5. In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person or advisor of their choice throughout the process, including any meeting, conference, or other procedural action. Once complete, the parties will be simultaneously informed, in writing, of the outcome, including the finding, the sanctions (if any) and the rationale therefor. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of the college=s appeal processes and their

rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be promptly informed in writing, and will be notified when the results of the resolution process become final.

6. In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence do occur, Gateway takes the matter very seriously. The college employs interim protection measures such as interim suspension and/or no contact orders in any case where a student=s or employee=s behavior represents a risk of violence, threat, pattern or predation. If a student or employee is accused of sexual misconduct, other gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, s/he is subject to action in accordance with the Student Code of Conduct in the student handbook and the procedures and practices identified in the Administrative Procedures and College Practices Manual.

**SAFETY STEPS**

Victims of sexual misconduct, gender-based violence or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence are encouraged to review some or all of these safety suggestions designed to guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, call 911.
2. Consider securing immediate professional support (e.g.: counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to the Student Services Center to speak with a licensed professional counselor for support and guidance. These licensed counselors are confidential resources and in most cases, do not have a legal duty to report to the Title IX Officer.
4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge. To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable. Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet, to avoid contamination. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo. Record the names of any witnesses, and their contact information. This information may be helpful to the proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation. Try to memorize details (physical description, names, license plate number, car description,), or even better, write notes to remind you of details, if you have time and the ability to do so. If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse), please notify the director, Security & Safety or the campus Title IX Officer so that those orders can be observed on campus.
5. Even after the immediate crisis has passed; consider seeking support from Student Support Services, the Student Support Counselor and/or the local rape crisis center as identified below:

Student Support Services Contact Information		
	Student Support	Local Rape Crisis Center
Elkhorn	262/741-8300	1-800-365-1587

Burlington	262/741-8300	1-262-638-6741
Kenosha	262/564-2300	1-800-236-7188
Racine	262/619-6300	1-262-638-6741

6. Gateway will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. Contact the director, Safety & Security (262/564-2812 or 262/939-5462) or Title IX Officer (262-564-3220) if you need assistance with Gateway related concerns, such as no-contact orders or other protective measures. The director Safety & Security will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities. The college is able to offer reasonable academic accommodations, escorts, no contact orders, counseling services access and other supports and resources as needed by a victim.

### SANCTIONS

1. For offenses including sexual misconduct or other gender based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct and stalking, sanctions range from warnings through termination or expulsion. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion or termination of employment.
2. The following sanctions\* may be imposed to students who fail to comply with this policy.
  - a. Warning: Issued to a student who has committed a minor violation of this policy and doesn't pose a continued concern for the college.
  - b. Disciplinary Probation: Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
  - c. Suspension: Issued to a student, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.
  - d. Expulsion/Dismissal: Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.
  - e. Restriction: Issued to a student who has committed a violation of this policy and the resolution is a limitation on the student=s access to identified services, locations, education, community activities or persons. Issued for a specified time frame.
  - f. Restitution: Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student=s financial loss. May be issued as a condition of return or continued attendance in the college.
  - g. Referral: Issued to a student who has committed a violation of this policy and it is determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued attendance in the college.
  - h. Loss of Privileges: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student=s access to identified service, location, or educational community activities.
  - i. No Contact: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student=s access/contact with an identified individual(s) or groups of student and/or staff.

\* These sanctions are not meant to be progressive in nature. A student may be issued one or more of these sanctions in response to an incident. The college will determine level of sanction based on the severity of the incident or series of incidents.

3. The following disciplinary action/sanctions\*\* may be imposed to employees who fail to comply with this policy.

- a. Verbal Counseling
- b. Written Counseling
- c. Disciplinary Suspension
- d. Final Written Warning
- e. Termination
- f. Mandated training
- g. Mandated Counseling

\*\* These sanctions may not be progressive in nature. An employee may be issued one or more of these sanctions in response to an incident. The college will determine level of sanction based on the severity of the incident or series of incidents.

#### **LEGAL DEFINITIONS**

1. Rape is generally defined as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.
2. Under State of Wisconsin law, rape is defined as sexual intercourse against the will of the victim that can occur under a variety of circumstances, including:
  - a. Where the victim is prevented from resisting due to alcohol or drugs.
  - b. Where the assailant uses physical force or the threat of force to overpower and control the victim.
  - c. Where the victim fears that she or he or another will be injured if the victim does not submit.
  - d. Where the victim is at the time unconscious of the nature of the act, and this is known to the assailant.
  - e. Where the victim is incapable of giving legal consent due to a mental disorder or developmental or physical disability, and this is known or reasonably should be known to the assailant.
  - f. Where the act is accomplished by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another person.
  - g. Where the assailant uses duress, such as a direct or implied threat of hardship or retribution, to coerce the victim.
  - h. Where the assailant uses force, fear or threats to accomplish sexual intercourse against the will of the spouse. This provision is known as the Asposal rape law.®

#### **OTHER SEXUAL OFFENSES**

1. Besides rape, other sexual offenses include the following: sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).
2. In Wisconsin, sexual consent is defined as words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. The following persons are presumed incapable of consent but the presumption may be rebutted by competent evidence:
  - a. A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct.
  - b. A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
3. The complete Wisconsin rape and sexual assault offense definitions can be found in WIS.STAT.940.225: <http://docs.legis.wisconsin.gov/statutes/statutes/940/II>

#### **SEX OFFENDERS**

1. In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Gateway is providing a link to the Wisconsin State Sex Offender Registry. All sex offenders are required to register in the state of Wisconsin and to provide notice of each

institution of higher education in Wisconsin at which the person is employed, carries a vocation or is a student. <http://offender.doc.state.wi.us/public>.

2. In addition to the above notice to the State of Wisconsin, all sex offenders are required to deliver written notice of their status as a sex offender to the college director, Safety and Security no later than three (3) business days prior to their enrollment in, employment with, volunteering at or residence in Gateway. Such notification may be disseminated by Gateway to, and for the safety and well-being of, Gateway community, and may be considered by Gateway for enrollment and discipline purposes.

Adopted: June 29, 2015

Supersedes: December 19, 2011; April 7, 2004, May 19, 1994

Reaffirmed &/or Updated: September 30, 2014 (Titles Updated); March 22, 2011 (Clarified EEO Officer and AA Officer positions); October 8, 2009; December 19, 2011 (Combined Policies H-130, Sexual Harassment, combined with H-140)

## Discrimination, Sexual Harassment, & Sexual Misconduct Complaint Policy

### POLICY

Gateway Technical College is committed to provide our students, staff, and campus visitors a safe learning and working environment. As a result, the College recognizes the importance of providing a prompt, effective, and equitable process in response to allegations of discrimination and/or sexual misconduct.

### PROCEDURE

The following steps will be followed by Gateway Technical College (Gateway) in response to allegations of discrimination and/or sexual harassment and misconduct.

1. A formal investigation of the allegations will be conducted by designated Title IX Investigators.
2. Trained Investigator(s) assigned to the complaint.
3. Investigator(s) will meet individually with the Complainant and the Respondent to explain their rights, resources, and responsibilities.
4. Investigator(s) will interview complainant to clarify and acquire additional relevant information necessary to proceed.
5. Investigator will interview the respondent and appropriate witnesses.
6. Investigator(s) will acquire additional relevant information such as written documents, text messages, photos, academic records, email, voice mail, etc.
7. The determination of discrimination and/or sexual misconduct will be based on the preponderance of evidence standard.
8. The college will reference appropriate disciplinary procedures when there is a violation finding. Investigators will prepare a report capturing a summary of the information, summary of findings of fact and analysis, resulting conclusion, and recommended remedial action to be shared with the EEO/Title IX Officer for review and approval.
9. If there is a finding of discrimination, sexual misconduct, or sexual harassment, the college will implement appropriate disciplinary procedures which may include the following remedial sanctions:
  - a. **Warning:** Issued to a student or employee who has committed a minor violation of this policy and does not pose a continued concern for the college.
  - b. **Disciplinary Probation:** Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
  - c. **Suspension:** Issued to a student or employee, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.
  - d. **Dismissal/Expulsion:** Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.



- e. **Restriction:** Issued to a student who has committed a violation of this policy and the resolution is a limitation on the student's access to identified services, locations, education, community activities or persons and issued for a specified time frame.
  - f. **Restitution:** Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.
  - g. **Referral:** Issued to a student who has committed a violation of this policy and it is determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued attendance in the college.
  - h. **Loss of Privileges:** Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access to identified service, location, or educational community activities.
  - i. **No Contact:** Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access/contact with an identified individual(s) or groups of student and/or staff.
10. These sanctions are not meant to be progressive in nature. A student or employee may be issued one or more of these sanctions in response to an incident.
  11. The EEO/Title IX Officer will work with appropriate personnel to implement disciplinary action and remedial sanctions. Appropriate personnel can include, but is not limited to, Campus Affairs Dean, Department Supervisor, or Director of Employee/Labor Relations. The college will determine level of sanction based on the severity of the incident or series of incidents.
  12. Complainant and Respondent will be notified in writing of the results of the investigation and any recommended remedial action to be implemented.

#### **APPEAL**

1. Both the Complainant and the Respondent can appeal the decision in writing to the EEO/Title IX Officer within five (5) working days of receipt of the finding and/or decision. The appeal request will be shared with the other party.
2. The only grounds for appeal are as follows:
  - a. Procedural error or omission that significantly impacted the outcome of the decision,
  - b. to consider new evidence, unknown or unavailable during the investigation process that could substantially impact the original finding or sanction, or
  - c. the sanctions imposed are substantially disproportionate to the severity of the violation.
3. All appeals are forwarded to the executive vice president/provost and the vice president of Human Resources (Appeals Officer(s)) to determine if the appeal meets the limited grounds and is timely. If it does not, the original finding and sanction will stand and the decision is final. If the appeal has standing, the documentation is reviewed for consideration. The party requesting appeal must show error as the original finding and sanction are presumed to have been decided reasonably and appropriately.
4. The procedures governing the appeals process include the following:
  - a. All parties should be promptly informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.
  - b. Appeals are not intended to be full re-hearings of the complaint. In most cases, appeals are confined to a review of the written documentation or record and pertinent documentation regarding the grounds for appeal;
  - c. This is not an opportunity for appeals officers to substitute their judgment for that of the original investigative personnel merely because they disagree with its finding and/or sanctions. Appeals are to be deferential to the original investigative review, making changes to the finding only where there is clear error and to the sanction only if there is compelling justification to do so;
  - d. Sanctions imposed are implemented immediately unless the Appeals Officer stays implementation in

- extraordinary circumstances, pending the outcome of the appeal.
- e. The Appeals Officer will render a written decision on the appeal to all parties within 7 business days from acceptance of the appeal. The Appeals Officer's decision is final.
5. The EEO/Title IX Officer, Investigators, and Appeals Officers shall insure that the privacy and confidentiality of all parties is respected.
    - a. **Federal Timely Warning Reporting Obligations:** Victims of sexual misconduct should also be aware that college administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. For example, if a student was sexually assaulted on our campus and the alleged perpetrator has not been located and removed from our community, a timely warning will be issued. The college will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.
    - b. The EEO/Title IX Officer and Investigators are responsible to insure that the complaint is handled in a timely, appropriately confidential manner.
  6. The EEO/Title IX Officer shall compile an annual report for the president or designee summarizing the findings of all formal complaints along with any recommendations for changes in the discrimination and/or sexual misconduct policies.

Adopted: June 29, 2015

Supersedes: October 12, 2009; August 24, 2005, November 2002

Reaffirmed &/or Updated: March 22, 2011 (Clarified EEO Officer and AA Officer positions & eliminated evaluation form which is not used.)

## Drug Free Workplace Policy

### **POLICY**

The Drug Free Workplace Act of 1988 and Wisconsin State Statute, Chapter 161 Uniform Controlled Substances Act, requires Gateway Technical College to make a good faith effort to maintain a drug-free workplace environment. As an employer receiving more than \$25,000 in federal government funding, the District recognizes that violations to these state and federal statutes will have an impact on the proper functioning of the district. This policy applies to controlled substances, including alcohol.

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited.
2. Reporting to work under the influence of a controlled substance, including alcohol is prohibited.
3. All employees working directly under a federal grant or contract agree, as a condition of employment, to maintain a drug free environment.
4. As a condition of employment, all employees shall notify their supervisor of any criminal drug statute conviction for a violation occurring in the workplace@ within five (5) days.
5. All regular employees shall be provided a copy of this policy as included in the employee handbook.
6. All regular employees shall sign an acknowledgment and pledge to maintain a drug-free environment upon receiving an employee handbook.

7. The dispensing, sale, and use of alcoholic beverages at activities on or within District property is allowed subject to the approval of the president or designee.

### **PROCEDURES**

The Gateway district may provide a drug awareness program for students and employees that will inform, educate and provide referral assistance to a community drug abuse service. The drug awareness program may be conducted in cooperation with the county alcohol and drug abuse programs established under Section 51.42 of the Wisconsin Statutes.

1. Any employee reporting to work under the influence of a controlled substance, including alcohol will not be permitted to begin work. Employees who test positively will be subject to the provisions of the progressive counseling policy, up to and including separation.
2. Upon being advised of an employee conviction for drug activity at the workplace, the supervisor will immediately notify the Human Resources department who must notify any relevant funding agency within ten (10) days from the date the employee notified their supervisor.
3. Within thirty (30) days of receiving notice of a conviction for drug activity within the workplace, Gateway shall: a) take appropriate personnel action against the employee, up to and including separation, or b) require the employee to participate in an approved drug abuse assistance or rehabilitation program and, c) require the employee, upon their return from any drug abuse program, to remain drug free.
4. An Employee Assistance Program (EAP) is available to all eligible employees.

Adopted: October 12, 2009  
 Supersedes: February 20, 1992  
 Reviewed: January 2001

## **Reasonable Accommodations Policy**

### **Equal Opportunities for Americans with Disabilities**

#### **POLICY**

Gateway Technical College (Gateway) is committed to providing equal employment opportunities as well as professional, courteous service for persons with disabilities, through reasonable accommodation, as governed by the Americans with Disabilities Act (ADA) of 1990. Reasonable accommodations shall be provided in a timely and cost-effective manner upon self-identification, verification and an analysis of solutions. Immediate supervisors, in conjunction with the directors of Facilities shall have the authority to make reasonable accommodations for applicants or employees which do not exceed \$500 and are totally within the work station or work site of the individual.

#### **PROCEDURE**

1. Gateway does not discriminate against qualified individuals with disabilities in job application procedures, hiring, separation, advancement, compensation, job training, and other terms, conditions, and privileges of employment.
2. To assist Human Resources personnel and hiring supervisors in the compliance of this policy, ADA definitions

include:

- a. An individual with a disability is a person who:
    - 1) Has a physical or mental impairment that substantially limits one or more of major life activities, or
    - 2) Has a record of such an impairment, or
    - 3) Is regarded as having such an impairment, or
    - 4) Who has a known association or relationship with a disabled person.
  - b. A physical or mental impairment is any physiological disorder, disfigurement, or anatomical loss or limitation, or any mental or psychological disorder acquired as a result of illness, accident or birth.
  - c. A qualified individual with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question.
  - d. Reasonable Accommodation is a change or adjustment to a job or work environment that permits a qualified applicant or Employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy the benefits and privileges of employment equal to those enjoyed by Employees without disabilities.
  - e. Reasonable Accommodations Committee, although not expressly required in regulations, is the committee established to review and monitor provision of reasonable accommodations to students, potential students, employees and applicants in an effective and equitable manner. The committee shall be composed of representatives from the Human Resources department, Affirmative Action Officer, and other functional representatives, which may include deans, facility directors, counselors, Special Needs instructors, etc., who will be able to assist in establishing/evaluating reasonable accommodations.
  - f. The committee shall review accommodations possibly involving an undue hardship for the District and, promptly obtain all information necessary to review such proposed accommodations and alternatives thereto. The committee may consult with the individual who is disabled and immediate supervisor involved where necessary. It shall act in a timely manner that will enable personnel actions to proceed to their regular course.
3. Gateway will make a reasonable accommodation to the known disability of a qualified applicant or employee as long as it does not place "undue hardship".
    - a. undue hardship is an action requiring significant difficulty or expense when considered in light of factors such as Gateway's size, financial resources, and the nature and structure of its operation.
    - b. Gateway will not lower quality standards to make an accommodation.
  4. Gateway personnel involved in any aspect of the employment process will not ask applicants for employment if they are disabled or about the nature or severity of a disability before making a job offer. Applicants may be asked about abilities they may possess to perform job related functions but applicants may not be asked if they have a physical or mental disability. Employment opportunities shall not be denied to anyone because of the need to make reasonable accommodations to the individual's disabling condition.
  5. In considering a person with a disability, it is appropriate to determine the ability of the person to perform the essential functions as a student or employee with reasonable accommodation. A request for medical verification of the disability of the person requesting the accommodation may be appropriate. It is also appropriate to consider whether the providing of the accommodation would be an undue hardship.
  6. When an applicant, student or employee self-identify and requests an accommodation, it is necessary to request accommodation on the attached Staff/Student Accommodation Request form. The completed form will then be submitted to the Equal Employment Opportunity Officer.
  7. In the event of a possible policy violation, supervisors should consult with a Human Resources director for resolution of the situation.

Adopted: October 12, 2009

Supersedes: December 16, 1993

Reaffirmed &/or Updated: September 30, 2014 (Titles Updated); March 22, 2011 (Clarified EEO Officer and AA Officer Positions); January 2001

# Student Code of Conduct

## **POLICY**

1. The Gateway District recognizes that in order to operate a meaningful educational program and a safe environment for students and staff, this Code of Conduct will be followed.
2. The Gateway District believes every student has the right to pursue an education free from disruption, harassment, illegal activities, threats, or danger. The District further believes that academic honesty and integrity are fundamental to the educational mission of this College. Every student is expected to comply with the standards set and to be familiar with all the rules, regulations, and policies of Gateway Technical College.
3. On a daily basis, any student or group of students may be denied access to the classroom upon the instructor's determination that their behavior impedes student learning, the health and safety of peers, self, or the staff. The instructor will notify the student(s) of their denied access. The dean of campus affairs will also be notified by the end of the working day.

## **PROCEDURE**

### **Standards**

1. Students are expected to comply with all institutional, federal, state, county, and municipal policies, statutes and ordinances.
2. At all times, students are expected to conduct themselves in such a manner as not to interfere with the educational process at Gateway Technical College.
3. Students will conduct themselves in such a manner as not to endanger the safety or welfare of their fellow students.
4. Students must comply with the following and may be subject to discipline, including suspension or dismissal, for the following offenses:
  - a. Obstruction or disruption of the normal operations of the College or activities authorized by the College.
  - b. Physical or verbal abuse, harassment, or detention of any person(s) on school property or at school activities when such endangers the health, safety, or rights of such persons.
  - c. Theft or damage to property of the College or property of any visitor or member of the Gateway Technical College community.
  - d. Unauthorized entry to or use of Gateway Technical College property or facilities.
  - e. Dishonesty, which includes but is not limited to, knowingly furnishing false information to the College, plagiarism, or any form of cheating.
  - f. Use, under the influence of, possession, sale or distribution of narcotic or illegal drugs, firearms, explosives, dangerous chemicals, alcoholic beverages, etc. on Gateway owned or leased property, or at Gateway sponsored activities.
  - g. Possession of a dangerous weapon on school premises or at school-related events.

## **DISCIPLINE**

The following procedures have been developed to deal with a student who has failed to comply with this policy.

**Step 1** Upon receipt of an alleged violation, the appropriate dean of campus affairs will be assigned to investigate the charges. The dean of campus affairs may temporarily suspend a student pending

an investigation when the student=s continued presence might cause continued academic disruption or endanger the student or others.

**Step 2** If the investigation determines that the college has reasonable cause to believe that a student has pursued a course of conduct which is contrary to Gateway policy and requires sanction(s), the dean of campus affairs may take appropriate action. Within two (2) days from the action, the student shall be given notice in writing, by certified mail or personal delivery, the results of the investigation and the sanctions applied. The notice will also provide the information necessary for the student to appeal the sanctions if he/she wishes.

**Step 3** If the student appeals the sanctions, he/she must notify the executive vice president/provost in writing within three (3) working days of receipt of the letter. The student will be notified in writing, by certified mail or personal delivery, of the time and place of the hearing before a disciplinary committee composed of the executive vice president/provost or designee, a staff member, and a student. Said hearing shall be held no less than two (2) working days nor more than seven (7) calendar days from the date the student receives the above notice of hearing. The student shall be provided the name(s) of the witness(es) testifying against him/her and a copy of the initial investigation results that was conducted by the dean of campus affairs.

**Step 4** At any hearing before the disciplinary committee, the student shall have the right to present testimony on his/her own behalf, call witnesses, and be represented by legal counsel of his/her choosing.

**Step 5** The committee shall issue a dated, written order (to the student) informing the student of the decision. The order may be personally delivered or sent certified mail.

### **NON-ACADEMIC SANCTIONS**

The following sanctions may be imposed to students who fail to comply with this policy.

1. Warning: Issued to a student who has committed a minor violation of this policy and doesn't pose a continued concern for the college.
2. Disciplinary Probation: Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
3. Suspension: Issued to a student, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.
4. Dismissal: Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.
5. Restriction: Issued to a student who has committed a violation of this policy and the resolution is a limitation on the student's access to identified services, locations, education, community activities or persons and issued for a specified time frame.
6. Restitution: Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.
7. Referral: Issued to a student who has committed a violation of this policy and it's determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued attendance in the college.
8. Loss of Privileges: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access to identified service, location, or educational community activities.
9. No Contact: Issued to a student who has committed a violation of this policy and it is determined

that the student may continue attendance in the college with permanent limitations on the student's access/contact with an identified individual(s) or groups of student and/or staff. These sanctions are not meant to be progressive in nature. A student may be issued one or more of these sanctions in response to an incident. The college will determine level of sanction based on the severity of the incident or series of incidents.

Adopted: January 28, 2013

Supersedes: January 18, 2012, February 28, 2011, May 15, 2006; November 1, 2004

Reaffirmed: May 21, 2009

## Missing Student Notification Policy

Gateway Technical College is not required and does not have a missing student policy. If any person suspects that a family member or acquaintance is missing a report should be filed with local law enforcement.

## Fire Safety Report

Gateway Technical College is not required and does not publish a fire safety report.