

# Edgewood College Annual Security Report – 2009

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## **I. Edgewood College Security Department**

### **A. Description of Security Department**

The campus security department consists of a Security Director and three and two half fulltime security employees. The security department staffing is augmented by student security officers and a number of student parking enforcement officers. The college security staff has the authority to enforce campus policies and regulations. Security does not have the authority to enforce local, state or federal laws.

Should a violation occur on campus that would require a law enforcement response, the College will utilize the services of the Madison Police Department. Edgewood College is located within the boundaries of the Madison Police Department's South Precinct located at 825 Hughes Place. The non-emergency telephone number for the South Precinct is 266-5938. The number for emergency services is 911. The 911 Center will dispatch the Madison Police department for all calls unless they are busy, in which case they will dispatch the nearest

available police unit regardless of jurisdiction. The nearest law enforcement agency to the Edgewood campus is the University of Wisconsin Police Department that could be dispatched in an emergency.

All responding police agencies can enforce state and local laws. The local responding law enforcement agency will contact the appropriate Federal Law Enforcement agency should one be required.

### **B. How to Report an Incident**

Call the Security Office at 663-3285 (office) or 4321 (cell). The security office is located in Weber Hall. If the situation is an emergency and you are located in the vicinity of a blue light emergency phone, they can be used to notify security of the emergency. For emergencies you may also dial 911 for local law enforcement or fire department response. After you contact 911 we encourage you to call security to notify them that you contacted the local police or fire department so that the security department may provide any assistance they may require.

When Campus security is notified, they will respond to your location, investigate the situation, file an incident report (if applicable) and assist you with any other needs you may have as a result. All reports made to security will be referred to the Dean of Students Office for investigation. All individuals involved in incidents will be encouraged to report the incident to local law enforcement. All reports that are made to security will be included in the campus crime log.

### **C. Confidential Reporting Process**

If an individual does not wish to file a security or police report, victims or others can report crimes informally and confidentially (no names or criminal investigation) to Personal Counseling (DeRicci 206; 663-2281) or Health Services (Predolin 208; 663-8337) to be included in the annual Security Report.

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

### **D. Reporting Hate Crimes**

Wisconsin law prohibits threats or acts of violence against individuals or groups or their property because of personal characteristics or associations. State laws similarly prohibit defacing, damaging, or destroying another's property to intimidate or interfere with hi/her rights Crimes routinely classified as misdemeanors can be felonies if committed because of bigotry. If you are the victim of or witness a hate crime, report it as soon possible to the appropriate police agency and/or the campus security department.

### **E. Campus Crime Log**

The campus security office maintains a daily log listing all crimes reported to the department. This log includes the nature, date, time and general location of each crime and the disposition of the complaint, if known, and is available for public inspection within two (2) business days of the initial report.

#### **F. Campus Safety and Security Notification Plan**

A Security and Safety Alert will be sent out when an event occurs on campus that may pose an impending threat to the safety and security of students, faculty, staff and visitors. The alert will include the type of incident, location and the status of the individuals involved. Information will include the extent of the situation and what members of the community can do to protect themselves.

Reports should be made directly to the Security Department. Security and Safety Alerts will be sent out in coordination with the Dean of Students Office. Typical methods for sending out alerts include electronic communication and postings on campus.

Sexual assault remains an under-reported crime. At Edgewood College we actively encourage the victims of sexual assault to report incidents so that they may receive assistance and accurate information about formal and informal complaint options.

#### **G. Security of and Access to Campus Facilities**

##### **1. Access to the Residence Halls**

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

##### **2. Access to Non Residential Campus Facilities**

Non-residential campus facilities remain unlocked during the day and into the evening. Most buildings are locked at 10 PM. Predolin Hall is accessible until 2 AM every day. However, hours do vary depending on the use of the building. For questions regarding building accessibility, contact the Campus Security Department or the Campus Assistance Center.

Please remember that doors on campus are not to be propped open. Anyone propping any exterior door or computer room door open without the permission of the campus security department may be subjected to campus discipline.

## **II. Educational Programming on Safety Procedures, Practices and Prevention**

The Security Department of Edgewood College offers training on an as needed basis to students and employees on safety procedures and practices and the prevention of crime. These can be offered in the residence halls or to specific departments and are tailored to the needs of those requesting the information.

The Campus Peer Education Program conducts violence prevention programs on campus to all students, staff and faculty. All incoming first year students receive printed information on violence prevention as well as attend a 1.25 hour session on the prevention of sexual assault, dating violence and stalking. The Campus Safety Project has a group 8-10 trained student peer educators who conduct 5-10 programs on campus each semester. These programs focus on giving out information on sexual assault, dating violence and stalking and work to counter social norms that promote these incidents from happening. Programs are conducted in classrooms, residence halls and with student leaders and athletes on campus. Displays and poster campaigns are also a regular part of the educational offerings.

Numerous other educational programs and displays are also offered throughout the year to students, staff and faculty. On campus there are brochures, information and specialized training programs about:

1. Workplace violence prevention,
2. Sexual assault prevention for men and women,
3. Alcohol awareness and responsible consumption,
4. Emergency Procedures,
5. Physical protection

## **III. Procedures for Handling Sexual Assault Cases**

### **A. Reporting the Assault**

Report sexual assaults as soon as possible. You may make an informal, confidential report to the Director of Personal Counseling at DeRicci 206 - (608) 663-2281 or Director of Health Services at Predolin 208 - (608) 663-8334. In addition, you have the right to make a formal criminal report to the Madison Police Department. If you wish, a staff person from Edgewood or an advocate from the Rape Crisis Center (251-7273) will assist you in notifying the appropriate police agency.

If you request a police response after an on-campus assault, a Madison Police officer will explain the police and medical procedures, and, with your consent, transport you to the nearest hospital equipped to perform evidentiary medical exams. The decision whether or not to prosecute can be made later, but evidence must be collected promptly or it is lost.

### **B. Seeking Medical Attention/Preserving Evidence**

An individual who has been sexually assaulted should seek immediate medical attention whether or not they have reported the incident to the police, even if they do not feel they have been seriously injured. A medical examination is important to check for sexually transmitted diseases or other infection/injuries, and for pregnancy. Physical evidence should be collected within 72 hours of the assault, and only at a certified medical facility. To preserve evidence, an individual should not change clothes, bathe or shower, brush their teeth or use mouthwash, comb their hair, or take other actions to clean up before going to the hospital. If the individual thinks drugs may have been administered to facilitate an assault, it is best to wait to urinate until they reach the hospital and a urine sample can be collected. A staff person from Edgewood or an advocate from the Rape Crisis Center can accompany the person to the exam.

### **C. Support and Assistance**

An individual who has experienced a sexual assault may contact one of the two confidential resources on campus:

- Personal Counseling Office, 206 DeRicci, 663-2281 - Stephanie Graham, Director; John Boyne, Counselor
- Jan Zimmerman, Health Services, 208 Predolin, 663-8334

An individual may also contact the Rape Crisis Center for support (251-7273). RCC staff are available 24 hours a day, 7 days a week. Edgewood or Rape Crisis staff can provide individual crisis counseling, and will accompany you as desired and available during medical treatment, interviews by law enforcement, student judicial proceedings, court hearings and other meetings as needed. In addition, staff can serve in an advocacy role for your interests and needs, and will discuss options and procedures regarding academic assistance, housing, safety, medical and counseling needs. Edgewood or RCC staff can also refer you as necessary to other resources, including support groups, individual psychological counseling, and other outside agencies.

## **IV. Crime Statistics**

### **A. Uniform Crime Reporting Definitions**

For the purposes of this report and as stipulated by the Clery Act, Edgewood College uses the following definitions:

#### **1. Criminal Homicide, Murder, and Non Negligent Manslaughter**

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

#### **2. Criminal Homicide, Manslaughter by Negligence**

The killing of another person through gross negligence

#### **3. Sexual Offenses, forcible**

Crimes categorized as forcible sex offenses are: forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. Any sexual act directed

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

**4. Sexual Offenses, non-forcible**

Non-forcible sex offences include: incest and statutory rape. Unlawful, non-forcible sexual intercourse.

**5. Robbery (definition includes attempted robbery)**

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

**6. Aggravated Assault**

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

**7. Burglary (definition includes attempted burglary)**

The unlawful entry into a building or other structure with the intent to commit a felony or a theft (this may be accomplished via an unlocked door or window). Included are attempts to commit burglary where force is employed or where a perpetrator is frightened off while entering an unlocked door or climbing through an open window. Note that larceny-thefts (e.g. shoplifting, thefts from vehicles, thefts, thefts of motor parts, thefts of bicycles, thefts from buildings where the offender has legal access, thefts from coin-operated machines) are separate category and are not reported as a burglary.

**8. Motor vehicle theft**

The theft or attempted theft of a motor vehicle.

**9. Arson**

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

**10. Liquor law violations**

Violations of laws or ordinances prohibiting the manufacture, furnishing, sale, purchase, transportation, possession or use of alcoholic beverages (with the exception of "driving under the influence" or "drunkenness").

**11. Drug abuse/Controlled Substance violations**

Violations of laws prohibiting the production, distribution, and/or use of controlled substances and the equipment or devices utilized in their preparation

and/or use. The relevant substances include: opium or cocaine and the derivatives (morphine, heroine, codeine); marijuana, synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

## **12. Weapons possession**

Violations of laws or ordinances dealing with weapons offenses, regulatory in nature, such as the manufacture, sale, purchase, transportation, possession, concealment, illegal carry, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons and all attempts of the aforementioned.

## **13. Hate Crimes**

Crimes from all the above definitions that show evidence that the victim(s) was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, and/or disability.

## **B. Geographic Locations for Crime Statistics**

### **1. On Campus Locations**

For the purposes of Edgewood's reporting of crime statistics, the following definitions are used to determine the boundaries of the campus:

\* Any building or property owned or controlled by an institution with in the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

\* Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this identification that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). Therefore the report includes all crimes reported within the boundaries of Monroe Street, Woodrow Street, Edgewood Avenue and Edgewood Drive. The map below depicts the boundaries of the campus.

### **2. Non Campus Property**

For the purposes of Edgewood's reporting of crime statistics, the following definitions are used to determine non campus properties:

\* Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

\* Any building or property owned or controlled by an institution that is used in direct support of, or in relations to, the institution's educational purposes, is

frequently used by students, and is not within the same reasonable contiguous geographic area of the institution.

Addresses included in this definition at Edgewood College include:

- 1255 Deming Way, Madison, WI – Off site campus
- County Road EE, Valton, WI – Painted Forrest

### **3. Public Property**

For the purposes of Edgewood’s reporting of crime statistics, the following definition is used to determine public property:

~ All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

Public Property for the purpose of this report would be all the following streets and homes contiguous to the campus located on Monroe Street, Woodrow Street, Edgewood Avenue, and Edgewood Drive.

### **C. Reports of Campus Crime**

Members of the campus community who become aware of any incidents that may pose a risk to the community, should report the situation immediately to Campus Security.

A reporting form will be distributed to staff and faculty designated as Campus Security Authorities who are required to submit information regarding incidents to the dean of students office on an annual basis. Edgewood Security Staff will gather appropriate crime reports from the Madison Police Department within the areas defined above.

### **D. Crime Statistics**

The Edgewood College Security Department is responsible for collecting statistics, identifying reportable crimes, reporting crimes to the Department of Education (Clery Act), and publishing statistics to the public. Under law, these statistics must be reported in the categories specified by the Department of Education. The Clery Act requires reports from a wider geographic area (e.g. adjacent public property); from a broader scope of “reporters” (e.g. “campus security authorities” having “significant responsibility for student and campus activities,” including deans, athletic coaches, student housing and judicial staff and advisors to student organizations) for disciplinary referrals as well as arrests for drug, alcohol, and weapons violations; for crimes (e.g. forcible sexual assault vs. rape and attempted rape).

The 2008 Campus Crime Report has been compiled for the 2007 calendar year from crime reports received from the Madison Police Department, Edgewood College Security Department and campus security authorities. In general, reports are confidential unless the victim gives permission to document identifying information or for security or police to investigate. Report forms request specific information (date, location, nature of offense). This information is used to compile statistics, while preserving confidentiality, avoiding duplicate or inaccurate reporting, and assigning reports to appropriate FBI crime classifications. For questions regarding the preparation of the Annual Security Report, contact Edgewood's Campus Security Department.

The following is a detailed listing of criminal offenses reported to the Edgewood College Security Department, City of Madison Police Department and data collected from other campus administrators as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

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**Crime statistics as reported to the Federal Government according to the Clery Act\***

<b>CAMPUS SECURITY ACT REPORTING 2006-2008</b>							
Crimes Reported	Year	Campus Residential Facilities	Total On-Campus	Non-Campus Buildings or Property	Public Property	Total	Hate Crimes **
1. Aggravated Assault	2006	0	0	0	0	0	0
	2007	0	0	0	0	0	0
	2008	0	0	0	0	0	0
2. Arson	2006	0	0	0	0	0	0
	2007	0	0	0	0	0	0
	2008	0	0	0	0	0	0
3. Burglary	2006	1	5	0	0	6	0
	2007	2	2	0	0	2	0
	2008	4	4	0	0	4	0
4. Manslaughter Negligent	2006	0	0	0	0	0	0
	2007	0	0	0	0	0	0
	2008	0	0	0	0	0	0
5. Murder & Non-Negligent Manslaughter	2006	0	0	0	0	0	0
	2007	0	0	0	0	0	0
	2008	0	0	0	0	0	0
6. Motor Vehicle Theft	2006	0	0	0	0	0	0
	2007	0	0	0	0	0	0
	2008	0	0	0	0	0	0
7. Robbery	2006	0	0	0	0	0	0
	2007	0	0	0	0	0	0
	2008	0	0	0	0	0	0
8. Sex Offenses- Forcible	2006	0	0	0	0	0	0
	2007	0	0	0	0	0	0
	2008	0	0	0	0	1	0
9. Sex Offenses- Non-Forcible	2006	0	0	0	0	0	0
	2007	0	0	0	0	0	0
	2008	1	1	0	0	1	0
10. Other Hate	2006	0	0	0	0	0	0

Crimes Involving	2007	0	0	0	0	0	0
Bodily Injury	2008	0	0	0	0	0	0

Arrests	Campus Residential Facilities (CRF)				Total On-Campus ( Includes CRF )				Non-Campus Buildings or Property				Public Property		
	2006	2007	2008	2009	2006	2007	2008	2009	2006	2007	2008	2009	2006	2007	2008
Liquor Law	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0
Drug Law	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Disciplinary Referrals	Campus Residential Facilities (CRF)				Total On-Campus ( Includes CRF )				Non-Campus Buildings or Property				Public Property		
	2006	2007	2008	2009	2006	2007	2008	2009	2006	2007	2008	2009	2006	2007	2008
Alcohol	43	91	122	43	91	122	0	0	0	0	0	0	0	0	0
Drugs	1	1	13	1	1	13	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0

\*NOTE-The Federal Government requires under the Clery Act that all campus crimes be reported to them by October 15 of each year for the preceding calendar year.

\*\*The United States Department of Education has now changed how they report certain incidents that used to be classified as thefts. Thefts are now listed as burglaries, which will increase the number of burglaries on campus over previous years.

## V. Alcohol and Other Drugs

### A. Definitions

The terms used in this policy are defined as follows:

1. Alcohol: Any liquor (distilled spirits), beer (fermented malt beverages), or wine containing ethyl alcohol.
2. Drug: Any controlled or illegal substance, including narcotics, depressants, stimulants, hallucinogens, cannabis or its derivatives, inhalants, and any prescription drug not medically authorized.

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

For those students who choose to use alcohol, Edgewood College encourages students to exercise a responsible use approach. Peer pressure to use alcohol is strongly discouraged, and we seek to foster an environment of low-risk use. This means that we are committed to providing educational programs on alcohol use, and that we have a policy that promotes these values.

## **B. General Policies**

1. Alcoholic beverages may be possessed, purchased and/or consumed only by persons of legal drinking age, and then only in areas designated by the college.
2. No person may procure, sell, dispense or give alcoholic beverages for or to an underage person.
3. Intoxication and/or alcohol abuse shall not be tolerated and will not be accepted as an excuse for unlawful behavior or misconduct.
4. Alcoholic beverages will be permitted at approved college events in accordance with the guidelines established by the college.
5. Alcoholic beverages are never to be used as a reward for achievement or given as a prize or award.

Using, possessing, manufacturing, selling, buying, or transferring Drugs by students or employees of Edgewood College on any campus property or at any College sponsored function is expressly forbidden. Additionally, the possession of or attempt to possess, use, or consume alcohol on college property is prohibited except as part of College-sanctioned functions, events, or religious services where it is not unlawful and not prohibited, and which are subject to established restrictions and procedures.

## **C. Consequences of Non-Compliance**

Employees or students who engage in any of the prohibited conduct above are subject to disciplinary action which, depending on the type and seriousness of the violation, may include: verbal or written warnings, probation, revocation of privileges, community service time, financial restitution, suspension, termination, or referral to legal authorities for prosecution.

Edgewood College reserves the right to contact parents or guardians of students who violate the Policy on Alcohol and Other Drug Use, in accordance with the Family Educational Rights and Privacy Act (FERPA).

## **D. Seeking Assistance**

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

A conscientious effort to seek help will not, by itself, jeopardize an employee's job, or a student's enrollment. Employees or students in need of help for an alcohol or drug problem are encouraged to utilize the services of the Employee

Assistance program or Edgewood Counseling Services. Outside help agencies which may be contacted include, but are not limited to, the following:

- **AA** - Alcoholics Anonymous, (608) 222-8989
- **Dane County Department of Human Services**, (608) 242-6500
- **NA** - Narcotics Anonymous, (608) 258-1747
- **PICADA** - Prevention and Intervention Center for Alcohol and Other Drug Abuse, (608) 246-7600

## **E. College Guidelines on Alcohol**

### **Guidelines for Serving Alcohol at College-Sponsored Events**

If alcohol is to be served at an event, approval must be obtained from the Director of Student Activities or the Campus Programs Coordinator two months in advance. At the initial meeting, they will assist you in obtaining a permit through the city clerk's office. All guidelines and regulations contained in the College Policy on Alcohol and Drugs, must be strictly observed. Any organization seeking to serve alcohol at an event must complete a registration form and designate a staff or faculty chaperone for the event. The staff or faculty chaperone assumes the responsibility of adhering to the Edgewood College guidelines and state law, and insuring that appropriate behavior is maintained at all times.

1. All events must terminate by 12:00 a.m. Sunday through Thursday and by 2:00 a.m. on Friday and Saturday.
2. It is the responsibility of the sponsoring organization to provide licensed bartenders to serve all alcoholic beverages. The Student Activities Office will provide a list of licensed bartenders.
3. It is the responsibility of the sponsoring organization to provide compensation to the bartender(s). Dependent on the expected number of people at the event and decided upon by the Director of Student Activities or the Campus Programs Coordinator, the organization must pay for one or two bartenders.
4. The Office of Student Activities must purchase the alcohol, therefore, all profits from alcohol sales will be placed back into the Student Activities general fund.
5. Alcoholic beverages are to be consumed only in the designated room(s) approved for the event.
6. Proof of legal drinking age will be required at the bar.
7. Only those beverages sold and provided by the sponsoring organization of an event are to be consumed. No one is to bring his/her own beverages to an event.

8. Edgewood College encourages low risk use of alcohol. No person will be served alcohol if they are already visibly intoxicated. No alcohol will be given away for free or as a prize.

9. Drinking games will not be allowed at campus events.

10. No person may purchase alcohol for another person unless the person is present at the time of purchase, regardless of whether they are of legal drinking age.

11. Performing acts will also be subject to the Edgewood College alcohol policy and state regulations on alcohol consumption.

12. Soft drinks and food must be made available for the duration of any activity where alcoholic beverages are served.

13. The College will discourage the inappropriate use of alcohol by any member of its community. Because learning about low risk use of alcohol is one of the goals of the Edgewood community, educational programs and support will be available for students.

14. Student or staff chaperones must meet with the Director of Student Activities or the Campus Programs Coordinator prior to the start of the event to review the regulations and responsibilities of the chaperone. The event may be cancelled if the review session is not scheduled or attended.

#### **F. Educational and Disciplinary Sanctions**

Individuals found in violation of any of these policies will be subject to the appropriate sanctions which may include one or more of the following:

1. Alcohol and other drug assessment.
2. Participation in a counseling or group program.
3. A warning, disciplinary probation or suspension of a student, faculty or staff member.
4. Referral for participation in an off-campus alcohol/drug rehabilitation programs.
5. Expulsion of a student.

#### **G. Residence Hall Restrictions**

1. No alcoholic beverages are allowed in Marshall, Regina Marie Stephen Reges, or Dominican Halls.

2. When all of the residents of Rosewood, Siena, and Weber Apartments are of legal age, they may have alcohol in their apartment; however, they may not serve it to or consume it in the presence of minors. When transporting, alcohol containers must be sealed and covered. Kegs, defined as any containers requiring a tap to operate, are not permitted at any time.

#### **F. Alcohol and Other Drugs Abuse Statements and Prevention**

Edgewood College is committed to maintaining a learning environment that meets college needs, that is safe and free from the consequences of alcohol and other drug abuse.

We demonstrate that commitment by employing an Alcohol and Other Drug Counselor as well as by the following:

- Strictly and consistently enforcing alcohol and controlled substances policies and laws.
- Intervening whenever behaviors caused by alcohol or other drugs abuse threaten the safety, health or ability to learn and work within the Edgewood College community.
- Assisting those with alcohol or other drug abuse problems. Supporting alternatives to alcohol and other drug abuse and educating students about related risks.
- Ensuring that all members of the Edgewood community are fully aware of all regulations
- Communicating the expectation that all members of the Edgewood community are to abide by all regulations related to the use of controlled substances.
- In accordance with the Drug free Schools Act, the Drug free Workplace Act, state Statutes, Federal Law, City Ordinances the possession and or sales or illegal drugs is prohibited and strictly enforced. The President has the authority to determine where and how alcohol can be served on campus.
- Alcohol use or possession is restricted to persons over the age of 21. College security works closely with Human Resources, staff and residence life to enforce all alcohol related violations.

Edgewood College offers an Employee Assistance Program to all employees that can offer assistance with mental health and substance abuse problems.

For resources on alcohol and drug abuse please go to the following link:

<https://edgenet.edgewood.edu/studentcenter/aodaresources.htm>

#### **VI. Registered Sex Offenders**

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

## **VII. Edgewood College Sexual Misconduct Policy**

### **A. OVERVIEW**

The mission of Edgewood College is to provide a learning and working environment that fosters the intellectual, spiritual, and social development of the individual. Edgewood College expects that all members of the College community will conduct themselves in a responsible manner that shows respect for others and for the community at large.

Students, faculty, and all other employees are subject to criminal statutes, and various federal, state and local laws, which regulate civil conduct, including sexual misconduct. The College is also bound by, and supports, all applicable laws.

Consistent with law, Edgewood College intends to provide a safe and welcoming campus environment. In order to attain this goal, the College seeks to provide safety, privacy where possible, and support to victims of sexual misconduct. Edgewood College offers educational programming to promote the awareness of rape, acquaintance rape, and other sexual misconduct, forcible and non-forcible. Edgewood College will offer educational programs aimed at prevention of sexual offenses. There are instances where conduct or content of a sexual nature is a legitimate part of the curriculum, whereas the same conduct might be sexual harassment in another context. Reports of sexual misconduct will be taken seriously and incidents will be responded to appropriately and in a timely manner.

Laws and this Sexual Misconduct policy affect all relationships within the College community, including:

- Student relationships with other students.
- Faculty and staff conduct toward students.
- Student conduct toward faculty and staff.
- Supervisory conduct toward employees.
- Employee relationships with other employees.
- Conduct between members of different sexes.
- Conduct between members of the same sex.
- Conduct toward persons outside the Edgewood community may be considered a violation of this policy if the College concludes there is a sufficient connection between the conduct and the College to warrant the College taking action.

### **B. CONDUCT PROHIBITED**

The following conduct is prohibited by this policy:

1. A person who is convicted of a sexual assault which is a crime or misdemeanor under applicable Federal, Wisconsin, or City of Madison laws may be found to

have violated this policy if the College concludes the conviction is substantially related to the Edgewood community.

2. Sexual harassment.

3. Stalking, whether or not it is based on sex.

4. Violence and the threat of violence, to persons and property are prohibited by this policy, whether or not based on sex.

## **C. DEFINITIONS**

### **1. Sexual Assault.**

The Edgewood community, particularly less experienced students should have a good understanding of the criminal laws dealing with sexual assault. Sexual assault is defined very broadly by criminal law. It includes a wide variety of conduct from sexual intercourse to sexual contact, without the consent of the other person. Criminal sexual contact can be as limited as a single instance of touching a woman's breast, buttocks, or genital area, or touching a man's buttocks or genital area, without that person's consent, even if the person touched is fully clothed.

In some instances a person can be convicted of the crime of sexual assault because the person with whom there was sexual contact is presumed by the law to be incapable of giving consent. This includes situations where the person is intoxicated because of drug use, and also includes some forms of sexual contact with a minor.

Every student and employee of Edgewood College should know the laws of sexual assault. A copy of the current version of the State of Wisconsin Sexual Assault law, § 940.225, Wis. Stats., is an appendix to this Handbook.

Edgewood College does not enforce the criminal laws. However, conduct which would constitute a sex crime would usually also be sexual harassment as defined by this policy.

### **2. Sexual Harassment.** Sexual harassment includes:

- unwelcome sexual advances or requests for sexual favors;
- unwelcome verbal or physical conduct of a sexual nature;
- making submission to such conduct an explicit or implicit term or condition of an individual's employment;
- making submission to, or rejection of, such conduct a factor in academic or employment decisions affecting the student or employee;
- permitting such conduct to unreasonably interfere with a student's academic performance or an employee's work performance.

Examples of sexual harassment can range from the obvious - such as conditioning a grade or a job on granting sexual favors, to unwelcome things which may not be obvious, but which if repeated will be deemed prohibited, such as showing or telling dirty jokes, or leering. Voyeurism, such as a peeping Tom, is prohibited by this policy.

The College may conclude that an instance of sexual contact was sexual harassment, even if that conduct would not meet the standard of a criminal sexual assault. Furthermore, the College may even conclude that an instance of sexual contact was sexual harassment because it was without another person's consent, even if that conduct would not meet the standard of a criminal sexual assault. For example, it is possible the College would conclude under some circumstances that a person who was intoxicated on alcohol could not and therefore did not give consent to sexual contact, even though the criminal courts might not reach the same conclusion.

Sexual harassment can also include exploiting consensual sex, such as by recording consensual sex where the person did not consent to the recording. Sexual harassment can include using the telephone, e-mail, or other electronic media to transmit sexually inappropriate material.

### **3. Stalking.**

Stalking occurs when another person repeatedly and purposefully engages in such a course of conduct directed at a specific person, which is unwelcome and has the reasonable effect of threatening the person's physical or mental well-being. Here are some examples: unwelcome communication, (such as face-to-face communication, electronic communication, written letters, or gifts), threatening or obscene gestures, and following.

### **4. Violence.**

Edgewood College reserves the right to apply a broader definition of violence than might be the case under civil law. Repeated unwelcome touching whether or not sex based, hair pulling and pinching are examples of violence. Violence includes violence toward a person's property.

## **D. AVAILABLE OPTIONS**

You may:

1. **File a complaint** with the City of Madison Police Department or other law enforcement agency. The person with the complaint may request that an Edgewood College representative assist them in reporting to the Police Department, and thereafter during the process. Law enforcement may always be contacted, regardless of any other actions the person chooses to take under this policy. It is important to preserve evidence as may be necessary to the proof of criminal sexual assault.

2. **Seek Support.** There are people you can talk to. You can call or approach any of these people **confidentially and off the record** and tell them what happened. They will listen and explain your options. Talking to any of these people **does not** constitute reporting the incident to the College.

- a. Director of Personal Counseling
- b. Director of Health Services
- c. Director of the Campus Safety Project

3. **File a complaint with the College** by making a written report. For students who are filing a complaint, the report must be to the office of the Dean of Students. For faculty who are filing a complaint, the report must be to the office of the Academic Dean. For non-faculty staff who are filing a complaint, the report must be to the office of the Director of Human Resources. If one of these College officers is alleged to be the person who engaged in sexual misconduct, the written report may be filed with another of the 3 named offices or with the office of the President. Once received, the complaint may be investigated by another office. For example, if a student files a complaint about the conduct of a faculty member, the complaint would be filed in the office of the Dean of Students, but may be investigated by the office of the Academic Dean. Once a report is made, the College will conduct an investigation and issue sanctions, if appropriate. If you file a complaint with the College, and the College concludes there was a violation of this policy, the following remedies may be considered:

- No contact agreement between yourself and the other person.
- Change in academic and living situations if requested by you and reasonably available, for yourself or the other person.
- Dismissal or expulsion of a person found to have violated these policies.
- Discipline short of dismissal or expulsion for a person found to have violated these policies.
- Public Service for a person found to have violated these policies.
- Referral to law enforcement.
- In the case of employees, the remedy may be discipline of the employee found to have violated this policy, ranging from counseling or a warning, through termination of employment.
- Referral to counseling, mental health, and student services both on campus and in the community.

## **E. RIGHTS**

1. The accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding. If representatives are permitted at any stage of the investigation, they must be members of the College community.

2. Both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual misconduct.

3. Complaints will be investigated by the Dean of Students' office, or by the Director of Human Resources' office, or by the Academic Dean's office.
4. Both the accuser and the accused must cooperate in the investigation.
5. The decision of the Dean of Students or the Academic Dean or other designated decision maker may be appealed to the President, whose decision is final. If the complaint is against the President, the decision may be appealed to the Board of Trustees, whose decision is final. Complaints against the Dean of Students, the Director of Human Resources or the Academic Dean will be investigated and decided by a person appointed by the President.

## **VIII. Wisconsin Sexual Assault Laws**

### **Wis. Stat. 940.225: Sexual Assault**

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

- Whoever does any of the following is guilty of a Class B felony: A person who commits first degree sexual assault can be imprisoned for up to 40 years.
- Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or greater bodily harm to that person.
- Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used to or fashioned in a manner to lead the victim to reasonably believe it to be a dangerous weapon.
- Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person by use or threat of force or violence.

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

- Whoever does any of the following is guilty of a class C felony: The penalty for second degree sexual assault is a fine up to \$10,000 and/or imprisonment for up to 20 years.
- Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- Has sexual contact or sexual intercourse with another person without the consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.

- Has sexual contact or sexual intercourse with another person who suffers from mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct and the defendant knows of such condition.
- Has sexual contact or sexual intercourse with another person who the defendant knows is unconscious.
- Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without the consent of that person.

### ***Third Degree Sexual Assault***

- Whoever has sexual intercourse with a person without consent of that person is guilty of a Class D felony. A person who commits third degree sexual assault can be fined not more than \$10,000 and/or imprisoned not more than 5 years.

### ***Fourth Degree Sexual Assault***

- Whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor. A person who commits fourth degree sexual assault can be fined up to \$10,000 and/or imprisoned for up to 9 months in the county jail.

## **IX. Security Tips**

- Travel in pairs at night
- Make use of the Campus Safe Walk program (contact security for information)
- Park in well lit areas at night
- Keep all valuables out of site in your parked vehicle
- Use locks at all times
- Do not prop open doors
- Be aware of date rape drugs
- Do not accept an open drink from anyone
- Pour your own drinks
- Do not set your drink down and leave unattended
- If you leave to go to the bathroom etc, leave your drink with a trusted friend
- Do not give out any personal or financial information over the internet, e-mail account or by telephone without first verifying with the firm requesting the information that the request is genuine.
- If you observe an unescorted visitor in your residence hall, notify your RA immediately
- If your ID card is lost or stolen, notify security immediately
- Have your key or swipe card ready as you approach your vehicle or living area
- Use the campus Safe Ride program - the shuttle runs 10pm - 3am, Thursday - Saturday. The shuttle route is available in the security office.

- When you are out for the evening, let someone on campus know where you are and who you are with and to report it to security authorities if you do not return when you have indicated that you would return to campus
- Be aware of your surroundings – If something doesn't look or feel right, assume that it is not right.

## **X. Campus Resource Directory**

Resource	Location	Phone
Emergency/Madison Police Department		9-911
Alcohol and Drug Education	206 DeRicci	3383
President's Office	202 Predolin	2262
Personal Counseling	206 DeRicci	2281
Dean of Students	219 Predolin	2212
Employee Assistance Program	215 DeRicci	3317
Human Resources	215 DeRicci	3317
Campus Ministry	100 Regina	3233
Center for Diversity	206 Predolin	2256
Health Services	208 Predolin	8334
Safety and Risk Management	113B Sonderegger	6709
Campus Security Department	Weber Hall	4321
Residence Life	215 Predolin	3228