



EDGEWOOD COLLEGE

STUDENT HANDBOOK

Formerly the Student Rights & Responsibilities Handbook

Effective Date: August 24, 2021

EDGEWOOD COLLEGE STUDENT HANDBOOK

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ATTRIBUTION

Sections of the Edgewood College Student Code of Conduct have been adapted, in part, from *The NCHERM Group Model Developmental Student Code of Conduct* and the Stoner & Lowery *Twenty-First Century Model Student Conduct Code*, and are used here with permission.

I. DEFINITIONS

The following terms and phrases will be used throughout the Student Code of Conduct:

College: The use of “College” throughout this handbook refers to Edgewood College.

College Official: Any person employed by the College, performing assigned administrative or professional responsibilities.

College Premise(s): College premises includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College, including adjacent streets, parking lots, and sidewalks.

Complainant: A complainant is an individual reporting an alleged violation of College policies and may be referred to as the reporting party.

Days: In the policies contained in this handbook, all references to timing is in working or business days, not calendar days, unless otherwise specified.

Preponderance of the Evidence: The standard of proof used to determine the findings of a student conduct case. Preponderance of the evidence means that the statements and information presented in the case must indicate to a reasonable person that it is more likely than not that the Respondent committed a violation.

Respondent: A respondent, also referred to as a responding party, is a student accused of violating college policies.

Student: The term “student” refers to any undergraduate, graduate and/or professional students admitted, enrolled, or accepted to Edgewood College, through the awarding of a degree. For the purposes of this Student Code of Conduct, it also refers to individuals in the Cutting Edge Program and the College Completion Program.

Student Conduct Conference: A meeting with a Student Conduct Officer to discuss the alleged Student Code of Conduct violations and the respondent’s response. A Student Conduct Conference may consist of multiple meetings, as necessary.

Student Conduct Officer: A College staff member designated by the Assistant Vice President for Student Development to coordinate the student conduct process, which includes, but is not limited to, holding a student conduct conference, determining findings and action plans, and explaining the student conduct process to complainants and respondents.

Student Conduct Process Advisor: A Student Conduct Process Advisor is an individual chosen by a student to serve in an advisory role throughout the student conduct process.

Student Organization: A number of persons who are associated with one another and have been recognized by the College as a student organization. This includes club sports.

II. AUTHORITY AND SCOPE

Authority

The procedures described in this Handbook are not intended to mimic legal proceeding but to advance the educational mission of the College. Formal rules of evidence and procedure used by the legal system do not apply to student conduct proceedings at Edgewood College.

Gathering Information

When the College is made aware of an alleged violation of a policy in the Student Code of Conduct or another College policy, it may be necessary to conduct an investigation prior to referring the incident to the student conduct process. Such investigations are either conducted by, or in collaboration with, the Dean of Students Office. Some examples of other offices that may conduct investigations include the Office of Diversity and Inclusion, Residence Life, the Office of Student Inclusion & Involvement, Security, Academic Affairs, Information Technology, and Human Resources.

Offices charged with conducting an investigation may gather information, conduct interviews, and solicit materials. Investigations will be conducted with all reasonable speed. At the conclusion of the investigation, an investigator will work with the Assistant Vice President for Student Development, or other appropriate offices, to determine whether the student conduct process will begin. To the extent necessary, an investigator will provide information that will become part of a student conduct process and/or an investigator may participate in the student conduct process as a witness.

A student may choose to have a Student Conduct Process Advisor at any meeting related to an investigation that may give rise to a student conduct process.

Scope

The Student Code of Conduct shall apply to the conduct of individual students, student organizations and student groups, including undergraduate, graduate, and professional students, admitted, enrolled, or accepted to Edgewood College. For the purposes of this Student Code of Conduct, it also applies to individuals in the Cutting Edge Program and the College Completion Program. A student, by voluntarily joining the College community, agrees to abide by the policies that have been instituted by Edgewood College. Students may be held accountable for their conduct from the time of application for admission through the awarding of a degree.

The Student Code of Conduct applies to behaviors that take place on the campus, at College-sponsored events, at College-sponsored study abroad programs, and may also apply off-campus when the Assistant Vice President for Student Development, or designee, determines that the off-campus conduct affects a substantial College interest. A substantial College interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of others; and/or
- Any situation that significantly and adversely affects the rights, property or achievements of others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the College.

Additionally, all students are responsible for complying with the rules, regulations, policies, and procedures contained in other official College publications, including, but not limited, to the Residence Life Handbook, parking policies, Student-Athlete policies, student organization policies, along with program handbooks and announcements which may be issued from time to time.

The Student Code of Conduct may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The College does not regularly search for this information but may take action should such information be brought to the attention of College officials.

The Student Code of Conduct applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. Visitors to and guests of the College may seek resolution of alleged violations of the Student Code of Conduct committed against them by members of the College community.

There is no time limit on reporting alleged violations of the Student Code of Conduct; however, the longer someone waits to report an incident, the harder it becomes for College officials to obtain information and witness statements and to make determinations regarding alleged violations.

College email is the College's primary means of communication with students. Students are responsible for all communication delivered to their College email address.

Entry to Rooms/Room Search Policy

The right to privacy is of paramount importance and should not be violated; however, the entry into and/or search of the living quarters and personal property, including locked cabinets and/or safes*, of an individual may be conducted by the following people for the purposes and under the procedures detailed below:

- By civil law enforcement officers in the performance of statutory duties and in accordance with legally defined procedures governing search and seizure.
- By authorized College personnel (i.e., Residence Life and Security Staff, etc.) to ensure that college policy, health, fire, and safety regulations are maintained. This includes checking rooms immediately following a fire alarm to ensure that everyone has evacuated the building.
- By authorized College personnel or agents to make improvements and repairs and to provide routine maintenance services.
- By authorized College personnel in emergency and/or extraordinary situations to protect the health, safety, and welfare of students or to make emergency repairs to prevent damages to the property of the student and/or the College.
- When there is reasonable cause to believe there is/has been a violation of College regulations or local, state, or federal

laws or ordinances. (Examples include, but are not limited to, the smell of cannabis, cigarette smoke, excessive disruptive noise.)

- When a staff member knocks and is invited into the room.
- When the door is open and a violation of College policies is in plain view.
- When the source of a noxious odor can be traced to a particular room. A noxious odor is ANY aroma of such intensity that it becomes apparent to others. Any odor may become noxious or offensive when it is too strong. Some examples are: cigarette, cannabis, cigar or pipe smoke.

*If a student refuses to open a locked cabinet or safe, it will be confiscated until the student is able to remove it from campus, and the student will be referred to the student conduct process for failure to comply.

In an emergency where safety or security is a concern, advance warning may not be possible. When there is sufficient cause to believe that College and/or civil regulations are being violated in a room, staff will knock and identify themselves before entering. In suites, Residence Life and Security Staff have the authority to enter all connecting rooms when investigating safety or policy concerns.

In all instances, such entry shall be made only for the purposes set forth above. Observed alleged contraband will be confiscated and/or alleged violations of College policies, rules, or regulations will be referred to a Student Conduct Officer for follow-up action. Routine health and safety checks by staff will occur during break periods.

III. TYPES OF NON-ACADEMIC MISCONDUCT

Edgewood College has as its primary objective the academic, social, and personal development of each student. The College strives to preserve for all of its students an environment that is conducive to academic pursuit, social growth, and individual discipline.

Students are expected to behave in a moral and ethical manner, both on and off campus. It is essential that mutual respect for, and sensitivity to, the needs of others be accepted by all members of the College community in accordance with the Dominican ideals of Edgewood College:

All students are expected to act responsibly and within the regulations and standards established by the College and all civil laws and ordinances. The College will handle student disciplinary matters independent of any related civil or criminal proceedings.

The following actions, or any attempt to engage in such actions, constitute misconduct for which students may be referred to the student conduct process.

Abuse of Conduct Process: Abuse or interference with, or failure to comply in, College processes including student conduct and academic misconduct proceedings including, but not limited to:

- a. Falsification, distortion, or misrepresentation of information;
- b. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
- c. Attempting to discourage or interfere with an individual's proper participation in, or use of, the College's student conduct process;
- d. Harassment (verbal or physical) and/or intimidation of a Student Conduct Officer or Appellate Officer prior to, during, and/or following a College proceeding;
- e. Influencing, or attempting to influence, another person to commit an abuse of the College's student conduct system.

Bullying and Cyberbullying. Repeated and/or severe aggressive behaviors that intimidate, intentionally harm, control, or attempt to control another person physically or emotionally.

Disruption of College Activities: Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College activities, or of other authorized non-College activities when the conduct occurs on College premises.

Harmful Conduct: Behavior that threatens, harms, or endangers the health or safety of another person.

Damage to Property: Damage or destruction of College property or property belonging to others.

Failure to Comply: Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

Fire Safety: Violation of local, state, federal, or campus fire policies, including, but not limited to:

- a. Intentionally or recklessly causing a fire which damages College property, or the property of others, or which causes personal injury;
- b. Use or possession of flammable materials or substances used to ignite, spread, or intensify flames for fire, except as expressly permitted by College officials, that results or could result in personal injury or property damage;
- c. Failure to evacuate a College-controlled building during a fire alarm;
- d. Tampering with or improperly engaging a fire alarm, fire detection/control equipment, or emergency equipment.

Forgery or Falsification: Unauthorized possession of, or fraudulent creation, alteration, or misuse of any College or government document, record, key, or identification; knowingly providing false information to a College or law enforcement official.

Hazing: Act(s) which endangers the health or safety of another person for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization, with or without the person's consent.

Misuse of Computing Resources: Conduct that violates any section of the College Information Resources Policy, including misuse, abuse, use for commercial or political gain, causing disruption or destruction of systems, or any other related behavior. *(See Information Resources Policy for more information)*

Noncompliance with Disciplinary Action Plans: Conduct that violates an action plan or fails to comply with the directives imposed by the student conduct process and/or Student Conduct Officer.

Prohibited Possession of a Weapon: Possession of weapons, whether concealed or unconcealed per Wisconsin law, on campus and/or at College-sponsored events. This includes illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others, including, but not limited to guns, paint ball guns, pellet guns, BB guns, Airsoft guns, arrows, nun chucks, knives with blades longer than three inches, swords, shells, shell casings, and plastic or metal pellets, metallic knives, explosives, or any other device which, in the manner it is used or intended to be used is calculated or likely to produce bodily harm. *(See Weapons Policy for more information)*

Retaliation: Conduct that harms or impacts another person in response to filing a report or participating in a conduct process or related activity.

Unauthorized Entry: Unauthorized entry into, use of, or misuse of any building, structure, equipment, keys, and/or facility.

Unauthorized Taking of Property: Intentional and unauthorized taking of College Property or the personal property of another, including goods, services, and other valuables. Attempting to take College property or the personal property of another. Knowingly taking or maintaining possession of stolen property or taking College property out of its designated area without proper authorization.

Unauthorized Use, Possession, Distribution, or Misuse of Alcohol: Use, possession, or distribution of alcohol, except that expressly permitted by College policy or local, state, or federal law. Misuse of alcohol by those legally able to consume, related to harm to self or others, or in violation of College policies. This includes being knowingly present in an area of a College building or other College Property where alcohol is being used or is present in a prohibited manner. *(See Alcohol and Drug Use Policy for more information)*

Unauthorized Use, Possession, Distribution, or Sale of Illegal Substances and/or Paraphernalia: Use, including appearing under the influence, possession, distribution (for sale or for share) of any illegal drug or controlled substance, except that expressly permitted by College policy or local, state, or federal law. This also includes the misuse or distribution of prescription medication. *(See Alcohol and Drug Use Policy for more information)*

Violation of College Policies: Conduct that violates any College policy, rule, or regulation, published in print or online.

Violation of Law: Evidence of violation of local, state or federal laws, when substantiated through the College's student conduct process.

Violation of the Non-Discrimination and Harassment Policy: Conduct that violates the College's Non-Discrimination and Harassment Policy (*See Non-Discrimination and Harassment Policy for more information*).

Violation of Residence Life Policies: Conduct that violates any of the policies outlined in the Residence Life Handbook.

Violation of the Sexual Misconduct and Relationship Violence Policy: Conduct that violates the College's Sexual Misconduct and Relationship Violence Policy. (*See Sexual Misconduct and Relationship Violence Policy for more information*)

The College expects students to take responsibility for confronting behaviors exhibited by their peers that negatively impact their experiences and violate established standards of behavior as articulated in policies. It is imperative that students work in partnership with College faculty and staff members to protect the rights that have been afforded them.

IV. PROCEDURES FOR ALLEGATIONS OF STUDENT CONDUCT POLICY VIOLATIONS

The procedures described in this Handbook are not intended to mimic legal proceeding but to advance the educational mission of the College. Formal rules of evidence and procedure used by the legal system do not apply to student conduct proceedings at Edgewood College.

Incident reports or other complaints alleging violations of College policies will be referred to the Assistant Vice President for Student Development, or designee, who will conduct a preliminary review of the facts of the case to determine whether sufficient evidence exists to warrant moving the case forward in the student conduct process. Upon determination that sufficient evidence does exist to move forward with a student conduct process, the Assistant Vice President for Student Development will refer the case to a Student Conduct Officer for a Student Conduct Conference. The respondent will be sent a letter to their College email notifying them of the date, time, and location of their Conference, along with information about the specific policy(ies) they allegedly violated.

Student Conduct Conferences may be conducted in the absence of a student who fails to appear after campus officials have made a reasonable effort to provide advance notice of the conference time, date, and location.

Incident reports or other complaints alleging violations of the College's Sexual Misconduct and Relationship Violence Policy will be forwarded to the Title IX Coordinator for review.

Standard of Evidence

Edgewood College uses a preponderance of the evidence standard in the student conduct process. Preponderance of the evidence means that the statements and information presented in the case must indicate to a reasonable person that it is more likely than not that the respondent committed a violation. Both the complainant and the respondent will have an equal opportunity to present relevant witnesses and other evidence during the student conduct process. Both parties will be afforded similar and timely access to any information that will be used during the hearing proceedings.

Student Rights in the Student Conduct Process

A student participating in the student conduct process is entitled to the following rights as a guarantee of fundamental fairness:

- Throughout the investigation, the parties have an equal opportunity to present relevant witnesses and other evidence.
- The College uses a preponderance of the evidence standard in all proceedings.
- The respondent is notified, in writing, of the outcome of both the case and any appeal.
- If applicable, third-party expert testimony will be considered from both parties.
- All parties in sexual misconduct and relationship violence cases are notified, in writing, of the outcome of both the case and any appeal. (Regardless of which party files for an appeal, both the complainant and the respondent will be informed of the status of the appeal request, processing and outcome.)
- All parties are entitled to appeal the outcome of the investigation and student conduct process in sexual misconduct and relationship violence cases.
- The respondent will be notified in writing of the guidelines and process for reinstatement to the institution, if applicable.

Resolution of Allegation(s) of Student Code of Conduct Violations

Students alleged to have violated the Student Code of Conduct will be referred for a Student Conduct Conference. Student Conduct Conferences are held by trained Student Conduct Officers, as determined by the Assistant Vice President for Student Development. The Assistant Vice President for Student Development will assign each respondent a Student Conduct Officer for the Student Conduct Conference.

During the Student Conduct Conference, the respondent will be given the opportunity to review the information that resulted in the allegations and explain their version of events. Based on the available information and the information presented at the Conference, the Student Conduct Officer will determine whether the respondent has violated the Student Code of Conduct. If the student is found not responsible, the case will be closed. If the student is found responsible, an action plan will be determined by the Student Conduct Officer.

A Student Conduct Conference may be held in the absence of a student who fails to appear after campus officials have made a reasonable effort to provide advance notice of the conference time, date, and location. The Student Conduct Officer will communicate their decision and any action plans in writing to the respondent, subject to the requirements of the Family Educational Rights and Privacy Act or other applicable laws.

Student Conduct Process Advisor

Students involved in the student conduct process may select an advisor to accompany them throughout the process. Advisors are not permitted to speak or to participate directly in the proceeding. The College will not reschedule a proceeding to accommodate an advisor's schedule. The role is limited to consultation with the student involved. Complainants and respondents are responsible for presenting their own information. Witnesses or other parties directly involved in a case may not serve as advisors.

V. HOW TO FILE A COMPLAINT OR REPORT A STUDENT CODE OF CONDUCT VIOLATION

The College offers a variety of avenues for formal complaint procedures, depending on the nature of your concern or complaint.

If you have an immediate concern for safety, contact Edgewood College Campus Security at 608-663-4321 or dial 911.

To file a complaint or report an incident involving **student** conduct that is not an immediate concern for safety:

- Online Form: www.tinyurl.com/EdgewoodIR
- Email: StudentConduct@edgewood.edu
- Call: 608-663-2212
- Visit: Predolin 215 and ask for the Assistant Vice President for Student Development

To file a Non-academic complaint or report an incident involving **faculty or staff member** conduct:

- Email: deanofstudents@edgewood.edu
 - Call: 608-663-2212
 - Visit: Predolin 215
- or
- Email: hr@edgewood.edu
 - Call: 608-663-4303
 - Visit: DeRicci 214

If you are concerned that any person might engage in violence, please contact campus security at 608-663-4321 as soon as possible.

Even if you are not sure whether or not you should report something, you are encouraged to err on the side of caution. The College has trained professional staff who can evaluate these reports and take appropriate action.

If you have been a victim of discrimination, sexual or gender-based misconduct and/or relationship violence by any person, please review the College's Non-Discrimination and Harassment Policy and/or the Sexual Misconduct and Relationship Violence Policy. Our first concern is for your safety and well-being, but we also encourage you to report to campus and/or law enforcement.

If you have experienced discrimination, sexual misconduct and/or relationship violence, have exhausted the campus complaint options, and you still have a complaint, you can file a complaint with the Office of Civil Rights at <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

VI. ACTION PLANS

When a student is found responsible for violating the Student Code of Conduct, the Student Conduct Officer will develop an action plan for the student to complete that is intended to promote personal reflection and growth, repair any harm caused, and help the Student realign with College policies and values. The following are possible, but not limited to, outcomes and actions which may be included as a part of an action plan for violations of the Student Code of Conduct:

- **Disciplinary Warning:** Notice to the student that future misconduct will result in more severe disciplinary action by the College.
- **Disciplinary Probation:** A specified period of time during which the student is removed from good disciplinary standing. The student may be restricted from representing the College in any extracurricular activity or running for or holding office in any student group or organization. Probationary status may permit the student to remain in the residence halls and at the College on the condition that they comply with the action plans determined by the Student Conduct Officer.
- **Residence Hall Probation:** A specified period of time in which a student is allowed to continue living in the residence halls, however, the student's resident status is in jeopardy. Should further disciplinary issues occur during the period of Residence Hall Probation, the period of Residence Hall Probation may be extended or suspension from the residence halls may be imposed. Residence Hall Probation may also include reassignment to a different residence hall room or building.
- **Residence Hall Suspension:** Student is removed from the residence halls, without refund of housing fees, and is not allowed to live in the residence halls or have residence hall visitation privileges for a designated period of time.
- **Suspension:** Temporary loss of student status for a specified time with resultant loss of all student rights and privileges. A suspended student will be required to leave campus and not be permitted to return until the time of the suspension has elapsed. A suspended student will lose credit for subjects carried that semester and fees and tuition will be forfeited. The disciplinary action will be recorded as a part of the student's record in the Dean of Students Office. Conditions for readmission after the suspension period may be specified.
- **Expulsion:** Permanent termination of student status. An expelled student shall receive a grade of "F" in all courses carried during the term they are expelled and fees and tuition will be forfeited according to the normal withdrawal policy. The expelled student will not be permitted on campus without permission from the Vice President for Student Development. The action of expulsion will be noted in the student's record in the Dean of Students Office.
- **Behavioral Requirements:** A requirement to participate in certain activities, including, but not limited to, obtaining academic counseling, substance abuse assessment, behavioral assessment, etc. This sanction may require the student to submit payment of any resulting fees in order to participate.
- **Educational Requirements:** Requirement to attend, complete, present, and/or participate in a program or assignment that is educational and/or reflective in nature. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. This sanction may require the student to submit payment of any resulting fees in order to participate.
- **Loss of Privileges:** The student will be denied specified privileges for a designated period of time, including, but not limited to restrictions on participation in campus activities, campus presence, residence hall visitation, parking privileges, or contact with individuals or groups on campus.
- **Restitution:** Student is held responsible for damages to personal or community property through financial compensation or appropriate work arrangements.
- **Fine:** Monetary requirement which must be paid within a designated time

Temporary or Permanent Dismissal from the College for Administrative Reasons

No student is permitted to engage in conduct which is an undue threat to self, or others, or that interferes with the effective enjoyment of college and academic life by others. In these circumstances, dismissal of a student and exclusion from College property may be imposed without the procedure outlined in the Student Code of Conduct. The Vice President for Student Development, or designee, may take this action if satisfied that serious misconduct has occurred and/or that the student's continued presence on the campus presents unreasonable risk of danger to others or to the College community. A student facing this action must leave the campus immediately. Following the imposition of any dismissal for administrative reasons, a dismissed student may request a hearing to determine whether the student should be reinstated, and the summary action plan(s) removed, using the general guidelines for student conduct conferences set forth in the Student Code of Conduct. This request for a hearing must be made within five days of receipt of the dismissal for administrative reasons.

Where conduct may have been caused by a mental or physical condition (including but not limited to eating disorders or substance abuse), the Vice President for Student Development may require a medical (including mental health) evaluation of the student at the student's expense. The evaluation will be reviewed by the Vice President for Student Development and a team of administrators reviewing the situation. The committee will be comprised of professional staff members as may be appropriate, such as from Student Conduct, Health Services and Personal Counseling Services. The decision of that administrative committee will be final.

Where reasonably possible in light of the conduct and circumstances, the College will seek mechanisms to enable the student to continue moving toward the achievement of academic goals either immediately or in the future. The College will act with respect for the laws regarding the educational opportunities of persons with disabilities, while recognizing that there may be situations where conduct or threatened conduct by any person, including persons with disabilities, requires their temporary or permanent dismissal from the College.

Parental Notification

The College reserves the right to notify the parents/guardians of dependent students regarding any student conduct situation, particularly alcohol and other drug violations. The College may also notify parents/guardians of nondependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.

VII. APPEALS

All parties are able to appeal the decisions and action plans. As part of the student conduct process the student is informed of the right to appeal and procedures to be followed. Disagreement with the finding or action plans is not, by itself, grounds for appeal. The following will be considered grounds for appeal:

1. A procedural error or irregularity which substantively affected the outcome of the student conduct process (e.g. substantiated bias, material deviation from established procedures, etc.).
2. New evidence that was not available at the time of the student conduct conference and which could have a substantial impact on the outcome of the student conduct process. A summary of this new evidence and its potential impact must be included with the appeal.
3. The action plans imposed are substantially disproportionate to the severity of the violation.

How to Appeal

Appeals must be submitted in writing within five business days of notice of the decision being sent to the parties. Appeals must be submitted in writing, using the appeal form found online at <https://tinyurl.com/EdgewoodAppealForm>. On the appeal form, the student must state the reason(s) for appeal, the supporting facts, and the recommended solution. An appeal is not a re-hearing of the student conduct outcome. An appeal cannot be filed simply because a student is dissatisfied with the decision. Failure to describe the nature of the appeal in full detail in the appeal letter will result in the denial of an appeal.

Appeals of decisions will be reviewed by the Vice President for Student Development, or designee. The Vice President for Student Development, or designee, shall first determine if sufficient grounds for appeal exist and if not, notify the student that the appeal was not accepted. If sufficient grounds do exist, the Vice President for Student Development, or designee, will review the case file and the documentation provided in the appeal to make their determination. The Vice President for Student Development, or designee, may elect to:

- Affirm the finding and the original action plan, if any;
- Affirm the finding and change the action plan, if any; or
- In cases where new evidence was presented that was not available at the time of the original student conduct conference, order a new Student Conduct Conference.

In cases where a new student conduct conference was ordered, the rights to appeal the decision of that outcome will be granted in accordance with the process described above.

The decision made by the Vice President for Student Development, or designee, is final.

Student Status Pending Hearing or Appeal

Under normal circumstances, imposition of action plans will be deferred pending the review of the appeal. However, the Vice President for Student Development, or designee, may impose the action plans immediately while considering the appeal if there is a substantial safety risk to members of the College community.

VIII. REENTRY AFTER SUSPENSION

When a student has concluded the suspension period and completed the conditions accompanying the suspension, they must submit a letter to the Vice President for Student Development, or designee, requesting reinstatement and provide evidence that they have satisfied the terms of the suspension. The Vice President for Student Development, or designee, may schedule a meeting to discuss the Student Code of Conduct and strategies to prevent further violations. The student may return to the College only after an affirmative decision has been made by the Vice President for Student Development, or designee. Furthermore, the Vice President for Student Development, or designee, retains the right to deny reinstatement if the student poses an unreasonable risk of danger to the College community.

Reentry admission for students who have an academic standing of Dismissed requires review through the Admission Committee. Students start this process by contacting the Admission's Office. Questions regarding standing, or the academic requirements for re-entry can be directed to the Academic Dean's Office.

IX. EMERGENCY ACTION

In certain circumstances, the College may temporarily limit or suspend a student's rights and privileges. Examples of limitations could include such actions as temporary removal from the residence halls, removal from co-curricular activities, restriction to a specific area on campus between classes, restriction on contact with another community member, and interim suspension of student status.

The following Emergency Action process will be managed by the Assistant Vice President for Student Development:

1. Emergency Action Determination

The need for Emergency Action will be determined by the Assistant Vice President for Student Development or a designee. The decision to limit or suspend student rights and privileges is based on the nature and severity of the alleged incident and the safety of or impact on the community. A student who presents a threat to their own well-being or to the rights, safety and/or property of others may be subject to immediate removal from the Edgewood College campus. The student may not re-enter any campus building, including the residence halls, or be present on campus without the written permission of the Assistant Vice President for Student Development or their designee.

2. Emergency Action Notification

In the event that a student's rights and privileges are limited or suspended, the complainant and respondent will be notified by the Assistant Vice President for Student Development. The Campus Security Director will notify appropriate College officials and the parties to coordinate compliance.

3. Responding to Emergency Action Notification

Students who wish to respond to or dispute Emergency Action should contact the Vice President for Student Development at DeanofStudents@edgewood.edu or 608-663-2212.

4. Termination of Emergency Action

The termination of Emergency Action will result in either:

- a) The respondent being found not responsible and the complainant and respondent returning to normal rights and privileges; or
- b) The respondent being found responsible and formal action plans being imposed. Emergency action will terminate and formal action plan(s) will commence immediately upon the announcement of the result of the student conduct process.

X. RIGHTS TO ACCESS STUDENT RECORDS

FERPA - Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access.

Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational

interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such performing their tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

Upon request, the College discloses education records without consent to officials of another school, in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C., 20202-4605.

Edgewood College, in accordance with the Act, has designated the following categories of information about students as public unless students choose to exercise their right to have any or all of this information withheld, through notifying the Registrar's Office. This information will be routinely released to any inquirer unless it is requested that all or part of this list be withheld. These categories are: 1. Name; 2. Address; 3. Email Address; 4. Telephone listing; 5. Date of birth; 6. Place of birth; 7. Major field of study; 8. Participation in officially recognized activities/sports; 9. Height and weight of student athletes;

10. Dates of attendance (including current classification and year, matriculation and withdrawal dates); 11. Degrees and awards received (type of degree and date granted); 12. Most recent previous educational agency or institution attended; 13. Credits earned towards degree; 14. Credits enrolled; 15. Full or part time status

Edgewood College, in accordance with the Act, reserves the right to contact parents or guardians of students who violate the College's Policy on Alcohol and Other Drug Use.

Student Disciplinary Records

Because the Family Educational Rights and Privacy Act defines the records of a student engaged in a disciplinary process as private, information about the disciplinary process may only be shared with the student, their parents if a minor, and school officials with a legitimate educational interest. The student must give written permission for anyone else to have access to this information, unless otherwise permitted by federal or state law. For additional information regarding FERPA, see Family Educational Rights and Privacy Act Policy.

OTHER COLLEGE POLICIES

ACADEMIC HONESTY POLICY

As members of a scholarly community dedicated to healthy intellectual development, students and faculty at Edgewood College are expected to share the responsibility for maintaining high standards of honesty and integrity in their academic work. Each student should reflect this sense of responsibility toward the community by submitting work that is a product of their own effort in a particular course, unless the instructor has directed otherwise. In order to clarify and emphasize its standards for academic honesty, the College has adopted this policy.

The following are examples of violations of standards for academic honesty and are subject to academic sanction: cheating on exams; submitting collaborative work as one's own; falsifying records, achievements, field or laboratory data, or other course work; stealing examinations or course materials; submitting work previously submitted in another course, unless specifically approved by the present instructor; falsifying documents or signing an instructor's or administrator's name to any document or form; plagiarism; or aiding another student in any of the above actions. Plagiarism, which is defined as the deliberate use of another's ideas or words as if they were one's own, can take many forms, from the egregious to the mild. Instances most commonly seen in written work by students in order from most to least serious are:

- Borrowing, buying or stealing a paper from elsewhere; lending or selling a paper for another's use as their own; using printed material written by someone else as one's own.
- Getting so much help on a paper from someone else, including a college tutor, that the student writer can no longer legitimately claim authorship.
- Intentionally using source material improperly, e.g., neither citing nor using quotation marks on borrowed material;

supplying an in-text citation but failing to enclose quoted material within quotation marks; leaving paraphrased material too close to the original version; failing to append a works-cited page when sources have been used.

- Unintentional misuse of borrowed sources through ignorance or carelessness.
- Copying the artistic creations of others without documenting the source of those ideas.
- Copying a table, chart, diagram or any illustration without documenting the source.
- Using terminology or concepts created by another without documenting the source.
- Presenting false, fabricated, or altered information or data to support the thesis or main idea of the work.
- Performing and/or accessing any work for another enrolled student, regardless of delivery mode.

Sanctions recommended for dishonesty are an “F” on the assignment and/or an “F” in the course. More serious violations may be referred to the Dean of Students Office for appropriate action. All incidents of academic dishonesty will be reported to the Dean of Students Office.

Additional information regarding this policy may be found in the Edgewood College catalog online or from the Dean of Students office.

ALCOHOL AND DRUG USE POLICY

In compliance with federal law, the Edgewood College alcohol and drug use policy is included below for student and employee review. Please review the policy below.

Preface

College culture nationwide exaggerates the connection between social fun and excess alcohol use. This misperception is especially strong in Madison even though well over 60%* of Edgewood College students either abstain or drink in a low risk manner. In other words, most students figure out how to enjoy their social time without drinking in a risky way or without drinking at all.

Low risk drinking is roughly defined as infrequent (1 time per week or less) alcohol use in a safe environment where a person’s Blood Alcohol Content is below .05 (about 1 drink per hour).

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 or drugs. 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, or violate the law and/or college policy are liable for disciplinary action.

Edgewood College expects students who choose to use alcohol to drink in a safe manner. Excess drinking is strongly discouraged for its risk to the drinker and for its negative effects on the campus community. The College is committed to providing educational programs to promote low-risk use or abstinence, to educate students about the risks of excess drinking, and to promoting alternatives to excess drinking.

**From Edgewood College National College Health Association (NHCA) Survey Fall 2016*

Seeking Assistance

At the discretion of the appropriate College authorities, assistance for problems with drug or alcohol may be offered in lieu of, or concurrent 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 Personal Counseling Service (608-663-2281) or the Employee Assistance Program (Cigna at 1-800-538-3546 or www.cignabehavioral.com/cgi).

General Drug and Alcohol Policies

1. Alcoholic beverages may only be possessed, purchased and/or consumed by persons of legal drinking age, and then only in areas designated by the College at College-sanctioned functions.
2. No person may procure, sell, dispense or give alcoholic beverages for or to an underage person.
3. Alcohol abuse and/or drug/alcohol intoxication will 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.

6. Action plans will be administered for drug and alcohol violations.
7. Use, possession, sale, delivery, manufacture or distribution of any narcotic, drug, and/or medicine prescribed to another person, chemical compound or other controlled substance, except in accordance with federal, state, local law, and/or Edgewood College policy is expressly forbidden.
8. Possession of drug-related paraphernalia, except in accordance with federal, state, local law, and/or Edgewood College policy is expressly forbidden.
9. Being under the influence of narcotics, drugs, medicine prescribed another person, medicine in excess of an individual's prescribed limits, chemical compound or other controlled substance, except in accordance with federal, state, local law, and/or Edgewood College policy is expressly forbidden.
10. When the source of a noxious odor can be traced to a particular room, the occupants of that room may be subject to disciplinary action. A noxious odor is ANY aroma of such intensity that it becomes apparent to others. Any odor may become noxious or offensive when it is too strong. Some examples are: cigarette, cannabis, cigar or pipe smoke.

Residence Hall Alcohol Restrictions

No alcoholic beverages are allowed in Dominican spaces which are not apartments or cooperative living spaces, Marshall, East Regina, West Regina or Stevie (Marie Stephen Reges) Halls.

Apartment Alcohol Policy

Wisconsin State law concerning alcohol consumption is Edgewood College's apartment/ cooperative living alcohol policy. If you are 21, you can possess and consume alcohol only in the apartments/cooperative living spaces.

If you are under the age of 21, you can be in the presence of alcohol but are prohibited from consuming or possessing alcohol. If alcohol is present in an apartment/cooperative living space, it must be possessed only by residents 21 years of age or older. Anyone found providing alcohol for underage students and/or guests will be subject to disciplinary action.

Alcohol in open containers is only permitted in apartment/cooperative living areas including rooms and lounge areas and is not permitted in the traditional residence halls including the larger Dominican Hall. Possession of alcohol in open containers outside of the apartment/cooperative living areas will be subject to disciplinary action.

Empty alcohol containers for decorative purposes and alcohol signage are permitted in the apartment/cooperative living areas. However, empty alcohol containers and alcohol signage are prohibited from windows and should not be seen from outside of the building.

Beer kegs are prohibited in all locations of the apartment/cooperative living areas unless approved for a college sponsored event by the College. Possession of a beer keg will result in the keg/container and all its paraphernalia (ex. tapper) being confiscated, and they will become the property of Edgewood College. Students found in possession of a beer keg will be subject to disciplinary action.

Consequences of Non-Compliance

Employees or students who engage in any of the prohibited conduct in the Alcohol and/or Drug Use Policy are subject to disciplinary action which, depending on the type and seriousness of the violation, may include: verbal or written warnings, monetary fine, probation, revocation of privileges, behavioral and/or educational requirements, financial restitution, suspension, expulsion, 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).

Questions or comments can be directed to the Dean of Students Office at StudentConduct@edgewood.edu or 608-663-2212.

Health Risks of Alcohol and/or Drug Use

Individuals over 21 years of age have the right to choose to consume alcohol. Edgewood College urges those individuals to exercise sound judgment and responsibility in making that decision. Edgewood College does not condone underage consumption of alcohol.

Alcohol is a central nervous system depressant. Initially it may appear to stimulate a person and reduce inhibitions. Greater amounts of alcohol will depress deeper parts of the brain, leading to loss of judgment and impaired sensory perception and motor skills.

Risks from excessive drinking, even if only occasional, include: physical and sexual assault, fights, injuries, and diminished

academic performance. Brain damage from alcohol abuse is permanent and recent studies suggest that the brain development continues into a person's early 20's making the damage that occurs in those years more significant.

Abuse of alcohol can pose a number of other health risks, both physical and psychological, such as impaired ability to reason; damage to the heart and liver; irritation of the stomach lining, possibly leading to ulcers; and depression of brain centers, causing poor coordination, confusion, disorientation, stupor, anesthesia, coma, and death.

Cannabis produces an intoxicating effect that slows reasoning abilities. Concentration and problem-solving abilities are impaired. Slowed reflexes, reaction time, and poor peripheral vision may also result.

Cannabis has multiple adverse effects on the body including increased heart rate, lung damage, increased cancer risk, diminished immune systems and risk of memory impairment. Long term use has also been linked to increases in anxiety, depression, and lower academic performance.

Important psychological and emotional developmental tasks (such as career establishment or developing emotional intimacy) can be delayed or stalled with heavy use of cannabis.

Party/Club Drugs refer to a large group of drugs often used at parties, raves or dance clubs and other settings that, as a group, have a wide variety of effects and risks. Some of the drugs in this informal grouping include: ecstasy, GHB, Ketamine, LSD, Rohypnol. Ecstasy is the most common of these drugs and it's taken for the euphoric effects, heightened energy and emotional warmth it produces in some users. The risks of these drugs are serious for even occasional use. Risks include: increased heart rate, nausea, dizziness, muscle tensions, teeth clenching, dangerously high body temperature, depression, and anxiety. Long term use can lead to memory problems and depression. Pills sold as ecstasy often include other substances that create even more serious health risks.

Stimulants (Amphetamines, Cocaine) Drugs that stimulate the central nervous system have a high potential for abuse because continuous use can result in severe dependence. Low doses of stimulants cause increased heart rate, blood pressure, and breathing rate. Sleeplessness and anxiety may also result. Higher doses cause irritability and excitability. Users may also experience feelings of paranoia and illusions or hallucinations. Abuse of these substances causes increased risk of heart failure, malnutrition, and a weakening of the body's immune system.

Most prescription drugs used to treat Attention Deficit Disorder are amphetamines and produce the same risks from misuse as other forms of amphetamines noted above. Illegal use of ADD prescription drugs carries very serious criminal penalties.

Depressants (Barbiturates, Narcotics, Hypnotics, and Tranquilizers) Use of substances which depress the central nervous system can produce habituation and physical dependence.

Depressants slow the bodily functions, causing sleepiness or grogginess, impaired motor skills, poor memory, and faulty judgment. Larger doses may cause unconsciousness or death. Taken over a period of time, abusing these substances can result in a physical dependency. Withdrawal from physical dependency must be medically supervised. Abruptly stopping the drug can cause delirium and convulsions.

The use of central nervous system depressants in combination with alcohol significantly increases the risk of death. The most common form of unintentional overdose results from the combination of barbiturates and alcohol.

Misuse of prescription opiates such as OxyContin or Vicodin is very dangerous because of the risk of addictions and overdose. Overdose risk is especially high when combined with alcohol. Legal penalties for such misuse are also very serious.

Hallucinogens (PCP, LSD, and Mescaline) Hallucinogens can cause habituation or psychological dependence. There are minimal withdrawal symptoms when regular use of the drug is stopped. Unpleasant psychological reactions are common, however. Risks include breaks from reality, flashbacks, emotional breakdown, and memory lapse. More severe reactions can include convulsions, partial paralysis, delusion, hysteria, and outbreaks of violence.

Madison Alcohol Ordinances

In addition to state laws, Madison enforces several local ordinances around alcohol. The legal drinking age is 21. More information about WI alcohol laws and penalties can be found at www.cityofmadison.com and www.revenue.wi.gov/faqs/ise/atundrg.html.

Compliance with Applicable Federal, State and Local Laws

This policy is subject to amendment. Edgewood College reserves the right to amend, add, delete, or modify this policy, and any others, for any purpose including compliance with local, state, or federal law.

COMMUNICABLE DISEASE POLICY

The College's commitment to integrity, human dignity, and concern for others with regard to communicable diseases is stated in the following goals:

1. To educate all members of the College community about communicable diseases. The Dean of Students Office will coordinate the programs of all departments and student organizations.
2. To comply with Federal, State and local health laws.
3. To comply with Federal, State and local laws protecting persons who have a communicable disease.
4. Students who have a communicable disease may attend classes and will not be denied any rights, privileges or services offered by the College including access to housing, cafeteria, and athletic facilities. Exceptions based upon an actual health risk will be decided on a case-by-case basis.
5. The College will consider the special needs of students with a communicable disease through services offered by the Director of Health Services and the Vice President for Student Development. These services include support, education and referrals.
6. In the course of College activities, students should treat students and staff who have a communicable disease as they would treat any student or staff.
7. Statements on Faculty and Staff.
 - a. Faculty and staff who have a communicable disease have the right to work. Exceptions based upon an actual health risk will be decided on a case-by-case basis.
 - b. In the course of college activities, faculty and staff should treat employees and students who have a communicable disease as they would treat any employee or student.
 - c. Faculty or staff who have a communicable disease are encouraged to notify their immediate supervisor who will deal with concerns on a case-by-case basis, in consultation with the appropriate administrator.
8. The College supports and will comply with laws respecting confidentiality of individuals having a communicable disease.

COMMUTER STUDENT LOCKER POLICY

Free lockers are available for storage of personal belongings and are located in the Predolin Humanities Level 1 stairwell near Weber Hall. The lockers are reserved for Edgewood College commuter student use only from 7:00 a.m. – 10:00 p.m., when the Predolin Humanities Building is open for business.

Check out lockers at the Campus Assistance Center in the Predolin Lobby. You may check out the lockers on a daily basis only. You must provide your name and Edgewood College ID number for the use of the locker. All property must be removed by 10:00 pm.

Lockers are monitored nightly and unclaimed property will be removed at 10 p.m. and stored for no more than 1 week.

- If your property is removed for not complying with the policy, contact Campus Security at x4321. Property may be claimed by providing proof of ownership and your student ID. A \$15.00 service fee will be billed to your student account.
- If you lose your locker key, contact Campus Security at x4321. Proof of ownership and your student ID must be provided before Security will open your locker. Loss of key will result in a \$15.00 key replacement fee and will be billed to your student account.

The lockers are the property of Edgewood College. Users must agree to abide by all city, state, and federal laws. The Campus Security staff reserves the right to open lockers in instances where locker procedures are being abused or in the case of an emergency.

Edgewood College is not responsible for any lost, stolen, or damaged items. • Concerns and questions regarding this program are to be reported to the Campus Security Office at ext. 4321.

EMAIL COMMUNICATIONS

Edgewood College Email is the official email of the College. Email is not a secure or private communications mechanism, nor should users treat it that way. Sensitive or confidential information should not be sent via email over the Internet without password protection or encryption.

Users should exercise care in the use of email and in the handling of email attachments. If an email is from someone you do not know, or if you were not expecting an attachment, do not open it; delete it. The user should contact the Technology Assistance Center for assistance if there are questions as to the validity of the message and attachment.

The following requirements pertain to the sending and receiving of emails, as well as the usage of the College's email system.

- Users may not use the College's network to send spam, "junk mail," or any unsolicited material unless in compliance with the College global email policy.
- Unauthorized use of another individual's account is prohibited.
- Users may not use unauthorized or forged email header information.
- Users may not create or forward "chain letters" or "pyramid schemes" of any type using the College's email system.
- Users may not share or post passwords.
- Users may not use the College's email system to send harassing messages, hoaxes, pornographic material, create a hostile work environment or otherwise perform illegal activities.
- Users must use a high degree of caution when opening email attachments received from unknown senders. This is a common vector for virus or malware infection.

Users should delete email messages that are no longer relevant to academic pursuits, research, social growth, individual discipline, and the furthering of these objectives. Users are responsible for using non-email network storage for retaining attachments that are needed for an extended period.

Refer to the College's Acceptable Use Policy for further direction.

When litigation against the College or its employees or its students is filed or imminent, the law imposes a duty upon the College to preserve all documents and records that pertain to the issue in dispute. As soon as College Counsel or the Human Resources designee is advised of pending litigation, a hold directive will be issued to the legal custodians. The litigation hold directive overrides any records retention schedule that may have otherwise called for the transfer, disposal, or destruction of the relevant documents, until the hold has been cleared by College Counsel or Human Resources. Email and computer accounts of separated employees and/or students that have been placed on litigation hold will be maintained by Information Technology Services until the hold is released. No employee or student who has been notified by College Counsel or Human Resources of a litigation hold may alter or delete an electronic record that falls within the scope of that hold. Violation of the hold may subject an employee or student to disciplinary action, up to and including termination. In addition, persons who violate the hold may be subject to applicable personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

GOOD SAMARITAN/MEDICAL AMNESTY POLICY

Purpose

Student health and safety are of primary concern at Edgewood College. As such, in cases of intoxication due to the consumption of alcohol and/or drugs, the College encourages individuals to seek assistance for themselves or others. The Good Samaritan/Medical Amnesty Policy protects students who seek help in matters of safety or well-being.

Policy

Students who report a safety concern or certain policy violations will not face documented action plans from the student conduct process for violating College policy if the intent in reporting is in good faith and is to ensure the safety/well-being of self or others.

Good faith is shown when a student comes forward to seek assistance or to report an incident and not primarily to avoid consequences. For example, a student who has violated the alcohol/drug policy but comes forward out of concern for the safety of a fellow student will not face student conduct action plans.

In lieu of student conduct action plans, the intoxicated student (and possibly the referring student) will be required to meet with the Assistant Vice President for Student Development, or designee, and/or the alcohol and drug counselor, for an alcohol and drug clinical assessment. This is not a student conduct outcome. The purpose of the meeting and alcohol assessment is to minimize the chances of future safety risk or other serious alcohol/drug incidents through education. Failure to complete educational requirements or treatment recommendations issued under this protocol will result in the reinstatement of student conduct charges.

This Good Samaritan/Medical Amnesty Policy does not preclude disciplinary action regarding other violations of College policies, such as causing or threatening physical harm, sexual misconduct/relationship violence as a respondent, damage to property, harassment, hazing, etc. Students should also be aware that this College policy does not prevent action by local and state authorities.

Good Samaritan/Medical Amnesty status can be sought as many times as needed. Incidents will be carefully reviewed by the Assistant Vice President for Student Development to ensure safety and good faith use of the policy.

If in doubt about a person's safety related to but not limited to alcohol/drug use, incidents of sexual misconduct/relationship violence, or bias incidents, seek help by calling Edgewood College Security at 663-4321.

INFORMATION RESOURCES POLICY

The following are prohibited under the College Information Resources Policy:

- a. Unauthorized use of College information resources including the unauthorized sharing with individuals who otherwise have no authority to access College information resources.
- b. Use of College information resources for unauthorized or nonacademic purposes including, but not limited to, illegal access, attempted or actual unauthorized accessing, copying, transporting or installing programs, records, data, or software belonging to the College, another user, or another entity, and/or illegal activity.
- c. Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to Edgewood College Information resources, compromising the privacy of another user or disrupting the intended use of College information resources.
- d. Attempted or actual use of the College's information resources for unauthorized commercial, political or personal purposes, or for personal gain.
- e. Attempted or actual use of College information resources to interfere with the normal operation of the College.
- f. Access, creation, storage, or transmission of material deemed obscene, in accordance with Federal, State, or Local law. Failure to report discovery of obscene material on any College information resource to the College.
- g. Attempted or actual destruction, disruption or modification of programs, records or data belonging to or licensed by the College.
- h. Intentional sending of unsolicited and unwanted electronic communications of faculty, staff, and students to parties with whom the sender has no existing business using College information resources.
- i. Negligent opening of email attachments received from unknown senders due to the high-risk of virus or malware infection.

MILITARY RECRUITING AND ROTC POLICY & PROTOCOL FOR EDGEWOOD COLLEGE

Under the current Solomon Amendment (2005), 10 U.S. Code § 983, colleges that receive federal funding for "student financial assistance" are obligated:

9. To permit its students to enroll in a Reserve Officers Training Corps (ROTC) program.
10. To permit the Secretary of a military department or the Secretary of Homeland Security access to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of military recruiting in a manner that is at least equal in quality and scope to the access to campuses and to students that is provided to any other employer;
11. To permit access by military recruiters for the purposes of military recruiting to the following information pertaining to students (who are 17 years of age or older) enrolled at an institution (or any sub element of that institution):
 - a. Names, addresses and telephone listings;
 - b. Date and place of birth, levels of education, academic majors, degrees received, and the most recent educational institution enrolled in by the student.

For Edgewood College, adherence to the guidelines of the above means that the College must:

1. Allow students who are interested in ROTC programs to enroll through the College's Collaborative Program in the University of Wisconsin's ROTC program
 - a. The Academic Dean's Office coordinates the College's Collaborative Program with the University of Wisconsin and will follow the written agreement between the two schools that allows Edgewood students to enroll in UW ROTC courses.
 - i. Military and Veterans Services will help to facilitate the relationships with UW ROTC programs.
2. Allow representatives from ROTC and military recruiters from the 5 branches access to the campus and students*.
 - a. The Academic Success and Career Development Center and Military and Veterans Services will coordinate access to representatives of the military for the purpose of recruiting current Edgewood students (or those admitted but not yet matriculated). Recruiters will be asked to contact Career Services to determine which campus events are appropriate for them to attend.
- b. The Admissions Office and Military and Veterans Services will coordinate access to representatives of the military for the purpose of recruiting prospective Edgewood students (or those admitted but not yet matriculated). Recruiters will be asked to call the Admissions Office to determine which campus events are appropriate for them to attend. *It is the right of the College to determine what events are "appropriate" for military recruiters to attend, but may at no time restrict representatives from ROTC and military recruiters, access to events that would otherwise be open to employers, within the prescription of the Solomon Amendment.

As a Dominican liberal arts college, Edgewood College fosters civil discourse about difficult issues and engages students in learning from multiple perspectives. Therefore, the College will make on-going efforts to offer information about non-military vocational and volunteer opportunities, and opportunities to discuss differing viewpoints on controversial issues.

MISSING RESIDENT POLICY

In compliance with the “Higher Education Opportunity Act, P.L. 110-315, sec. 488, 122 Stat. 3301 (2008)” Missing Student Notification Policy and Procedures, it is the policy of the Office of Residence Life to actively investigate any report of a missing resident who is enrolled at the College and residing in on-campus housing. Each resident will be notified of the Missing Student Notification Policy and Procedures via the Residence Life Handbook.

For purposes of this policy, a student may be considered to be a “missing person” if the person’s absence is contrary to their usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student’s welfare.

Each resident, upon checking into their assigned room, is required via the Personal Data Card to identify the name and contact number of the individual(s), a primary contact and secondary contact, to be notified in case of an emergency or in the event that the resident is reported missing. In the event the resident is under the age of 18 or is not emancipated, the College is required to have the primary emergency contact be a custodial parent or guardian.

If a member of the College community has reason to believe that a student is missing, Security should be notified. Upon receiving notification, Security, Residence Life and other applicable college personnel will make reasonable efforts to locate the student to determine their state of health and well-being. These efforts may include, but are not limited to, checking the resident’s room, class schedule, friends, ID card access, locating the resident’s vehicle, and calling their reported cell phone number. As part of the investigation, the College reserves the right to make contact with emergency contacts to help determine the whereabouts of the resident.

If upon investigation by Security and Residence Life Staff, the resident has been determined by Security to be missing for at least 24 hours, the following will occur: Security will contact the resident’s designated emergency contact and will inform the appropriate law enforcement agency within the next 24 hours. Investigation will continue in collaboration with law enforcement officers as appropriate.

NON-DISCRIMINATION AND HARASSMENT POLICY

Overview

Edgewood College will not tolerate discriminatory or harassing behaviors. The College’s Dominican Catholic heritage calls all members of the community to foster a learning environment that is free from any form of discrimination or harassment. Edgewood College is committed to maintaining a community free from discrimination and harassment, including discriminatory behavior. To fulfill this commitment, the College will work to prevent discrimination from occurring and will ensure that federal, state and local laws, and campus policies prohibiting discrimination are fully enforced.

Persons who believe that they are being or have been subjected to discrimination or harassment are encouraged to seek resolution as soon as possible. Due to the private nature of educational and personnel records, the College may not be able to fully disclose the actions taken in response to a report of discrimination or harassment. The College recognizes the right of all individuals involved in claims of discrimination to a fair framework for encouraging resolution of complaints. Deliberate falsification, distortion or misrepresentation of information during the course of a complaint process may be grounds for disciplinary action and may violate other standards of conduct.

As a Dominican Catholic institution of higher education, Edgewood College is committed to the search for truth, the advancement of knowledge and the principles of academic freedom. This policy is not intended to limit or restrict employees or students in the legitimate exercise of their academic freedom of expression, as the conduct defined under this policy is not within the scope of protected academic freedom. The Non-Discrimination and Harassment Policy affects all relationships within the College community.

Policy Statement

The College affirms and protects the rights and opportunities of all persons to a working and learning environment free from discrimination and harassment. No person shall, on the basis of gender, gender identity, gender expression, sex, sexual orientation, race, religion, color, creed, national origin or ancestry, age, ability, veteran status, or any other characteristic protected under applicable law, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination, including harassment, under any program of the College. This policy also prohibits any form of retaliation.

Discrimination and Harassment takes many forms. While some actions are blatant, others are subtler and, although equally hurtful, the intent to do a discriminatory or harassing act is less clear. Edgewood College strives to provide learning

opportunities that educate all members of the community on the impact that discrimination has on individuals and the community as a whole. Our mission and values call us to utilize a social justice framework to guide both preventative and reactive efforts. Students and employees who violate this policy may be subject to discipline up to and including dismissal/termination.

Definitions specific to Non-Discrimination Policy

Discrimination occurs when a member of the College community is subjected to disparate treatment in employment or in the provision of educational benefits, services, or programs, based on gender, gender identity, gender expression, sex, sexual orientation, race, ethnicity, religion, color, creed, national origin or ancestry, citizenship status, age, ability, veteran status, or any other characteristic protected under applicable law.

Edgewood College uses the following categories to address incidents of discrimination:

- a. **Hate Crimes** – Hate crimes include any criminal offense that manifest evidence of prejudice or bias based on one’s identity (such as, but not limited to, race, gender, gender identity/expression, sexual orientation, religion). Edgewood College will report hate crimes, as defined by the FBI Uniform Crime Reporting, to the police, and cooperate with them in investigating any act constituting a hate crime. Those who commit hate crimes may also be subject to discipline by the College. Hate Crimes must also be reported to meet Clery Act requirements.

Investigations of hate crimes require due process according to the college’s policies, including adherence to AAUP guidelines related to academic freedom. Action plans will depend on the severity of the action, the impact on the targeted individual/group, intentionality of the action, and on the overall context in which the action occurred. Action plans for students will be determined using the procedures for allegations of student conduct policy violations, described in the Student Code of Conduct. Sanctions for employees may range from reprimands or training to immediate termination of employment, depending on the severity of the incident and taking into account any previous employment concerns.

- b. **Bias Incidents** – A bias incident is a verbal, written, or physical act of intolerance or prejudice that does not involve violence or other criminal conduct. Bias incidents may be expressed through acts of bigotry, harassment or intimidation. Examples of bias incidents include, but are not limited to, homophobic or sexist jokes, racial epithets, religious slurs, offensive graffiti, disparaging remarks on social media, or making a grading decision because of the person’s protected status. Bias incidents may or may not be intended to cause harm, but such incidents negatively affect the campus climate.

Responses to bias incidents may include educational opportunities for the individuals and groups involved, as well as for members of the campus community as a whole when reporting patterns suggest broader issues that move beyond the immediate incident. This policy therefore seeks to enhance understanding, provide a forum for expression of multiple viewpoints, mediate conflict, and pursue restoration. In some cases, reports of bias incidents will be referred to a disciplinary body if the behavior violates a college policy.

Harassment includes unwanted, unsolicited, and offensive conduct whether physical or verbal, that tends to injure, degrade, disgrace, or show hostility toward a person because of one’s gender identity, sex, sexual orientation, race, religion, color, creed, national origin or ancestry, age, disability, or any other characteristic protected under applicable law. The conduct does not have to be threatening and may include deliberate and persistent conduct that is severe or pervasive enough that a reasonable person would find intimidating, hostile or offensive.

Examples include, but are not limited to:

- Abusive, degrading, intimidating, or offensive remarks, jokes, or gestures.
- Slurs, negative stereotyping, or threatening, intimidating, or hostile acts.
- Posting of graphic material on walls, bulletin boards, in electronic communication or elsewhere on the College’s premises that shows hostility, aversion, or is derogatory to an individual group.
- Differential treatment of an individual with regard to terms and conditions of employment or educational benefits or services because of that individual’s gender, sex, sexual orientation, race, religion, color, creed, national origin or ancestry, age, disability, or any other characteristic protected under applicable law.

Incidents of sexual harassment or sexual misconduct will be reported to the Title IX Coordinator.

Reporting Incidents of Discrimination or Harassment

If you have experienced or observed an incident of discrimination or harassment, please report it by doing one of the following:

Online: www.tinyurl.com/EdgewoodBias

By phone or in-person: Dean of Students Office Predolin 215 | 608-663-3312

Office of Diversity & Inclusion | Predolin 239 | 608-663-3274

Human Resources Office | DeRicci 214 | 608-663-4303

For additional information on how to file a formal or informal complaint, please see [How to File a Complaint or Report a Student Code of Conduct Violation](#).

PARKING POLICIES

General Information

Edgewood College offers parking for students, faculty, staff and visitors of the College. Parking facilities are limited and members of the College are encouraged to participate in the alternative transportation program by riding the Edgewood College shuttle or Madison Metro bus, carpooling or joining the Registered Walker/Biker Program. Permits are required to park on campus, including in spaces designated for disabled persons. Please be aware that purchasing a permit does not guarantee an immediate parking space will be available. Please take this in consideration when planning to park on campus.

General Parking is available in the Parking Ramp, DeRicci Lot, and Regina Lot. No overnight surface lot parking is allowed. Cars must be parked in the Parking Ramp overnight.

Application for an Edgewood College parking permit constitutes the applicant's agreement to comply with all College parking regulations. The permit remains the property of Edgewood College, and may not be copied, re-sold, or transferred to an unregistered vehicle by the registered holder.

Edgewood College accepts no responsibility for loss or damage to any vehicle or its contents, however caused, while parked in any College parking lot. Please note: Freshmen students who live on campus are not eligible for an on-campus parking permit during their first year at Edgewood College. Included in the policy are students who have earned retro-active or transfer credits or who are older than traditional age.

Obtaining a Permit

Permits must be applied for and picked up in the Security/Transportation office in Weber Hall. Parking permits cannot be requested online or over the phone.

Please bring your Edgewood College ID and vehicle information including license plate number with you when picking up your permit. Student parking fees will be billed to student accounts each semester. If a permit is needed for only the fall semester, the permit must be returned to the Transportation Office by the end of December in order to not be charged for the spring semester. Permits are not prorated.

Parking Regulations

Parking at Edgewood College is by permit only. All Edgewood College students, faculty and staff parked on campus must display a valid parking permit. Permits are required in all college lots. Parking spaces are marked with white lines. Vehicles must park in paved marked spaces.

Permits must be displayed on the rearview mirror with the permit number facing the front windshield to be valid. The license plate number on the permit must match the license plate on the car in which the permit is displayed. The permit must be fully visible. Failure to display a permit properly will result in a citation.

A temporary permit, available in the Security Office, must be obtained on days users are driving a different vehicle to campus. Temporary permits must also be fully visible and properly displayed with the permit information facing the front windshield.

The parking staff is available to assist motorists & ensure their safety. Persons who demonstrate abusive behavior toward the parking staff may have their parking privileges suspended.

Students, faculty and staff may not park in visitor parking for any reason for any length of time or sign in on the visitors log/sheet at the Campus Assistance Center. Violators will be cited.

Motorists parked in a space designated for disabled persons, no parking area, fire lane, or at an expired parking meter will be ticketed and may be towed at the owner's/motorist's expense.

Vehicles parked in a restricted lot without a proper permit will be ticketed and towed at the owner's/motorist's expense. (See restricted lot information below.)

Failure to follow parking rules will result in parking citations. Vehicles that receive 3 or more parking tickets (paid or unpaid), will lose parking privileges and be towed at the motorist's expense. Vehicles parking on campus after previously being towed due to parking ticket violations will be towed immediately. Students who have a vehicle towed are subject to a Student Conduct Hearing.

Resident Students must park in the ramp. Violators will be ticketed and towed.

Restricted Lots

There are several restricted lots on campus. Restricted lots include the Stream lot, Campus School Lot, Siena Lot, and the Edgewood High School Lot. Special permits are required for all of these lots. Please familiarize yourself with our restricted lot information. Please note, the Campus School and High School lots require special permits and are enforced by the City of Madison. All parking lots are monitored by security cameras.

Marshall Lot

A designated permit is required for the Marshall Lot. Violators will be ticketed and towed. Marshall Lot users are not allowed to park in any lot other than the Marshall Lot.

The Stream

The Stream parking lot is designated for assigned/carpool groups only. A special permit is required. Violators will be ticketed and towed.

Siena Lot

The Siena parking lot is for Siena permit holders only. Visitors of Siena residents may not park in the Siena lot. All others, including visitors, will be towed. Siena residents may not park in other lots.

Edgewood High School and Campus School Lots

Members or Visitors of Edgewood College are not permitted to park in the Edgewood High School or Edgewood Campus School Lots.

Resident Parking

Resident Students must park in the ramp. Violators will be ticketed and towed.

Parking Tickets and Appeals

Parking Tickets

Failure to comply with Edgewood College parking rules and regulation will result in parking tickets. For more information about the parking fine structure, please go to <https://edgewood.sharepoint.com/sites/TransportationServices>.

Parking fines must be paid within 10 days at the Business Office, 217 DeRicci Hall or at the Security/Transportation office in Weber Hall. Fines not paid within 10 days will be doubled and added to the student's account. An additional DMV fee may be added to unpaid tickets for vehicle and driver identification. Outstanding fines result in a hold on grades and registration and a possible revocation of parking privileges.

Appeals Process

Citation appeal forms are available in the Security Office.

Appeals must be made within 10 days of the ticket date. Appeals will be reviewed by the Parking Appeals Review Committee. Students, faculty, and staff will be notified of the status of their appeal through the mail or email. Denied appeals must be paid within 10 days of notification. Please note: Ignorance of regulations, late arrivals for appointments or inability to find a convenient parking space will not be accepted as grounds for an appeal.

Visitor Parking

All visitors must register their cars at the Campus Assistance Center located in the Predolin Lobby. Visitors may park in the designated visitor spaces located in the front row of the Regina Parking Lot. If there are no visitor spaces available there,

visitors may park in any available space except disabled person's parking unless they have a valid disabled person's permit. Visitors may not park in the High School, Campus Grade School, Siena, Stream or Marshall Lots. Parking in these lots will result in the motorist's vehicle being ticketed or towed at the motorist's expense.

Overnight guests will need to register their car at the Campus Assistant Center. They will be issued a registered guest overnight parking permit, valid for the parking ramp only, to place in their car facing out toward the front windshield on the rearview mirror. Failure to do so may result in the vehicle being ticketed and possibly towed. Any overnight guest vehicle parked on a surface lot after midnight will be considered a violation of the overnight parking regulation.

Non-resident students, faculty and staff may not park overnight on the Edgewood College campus without prior approval from the Security Office. Students may not park in designated visitor parking. Violators will be ticketed and may be towed.

Moped and Motorcycle Parking

Mopeds and Motorcycles must park in designated areas. Mopeds and motorcycles may not park in regular parking stalls or on sidewalks. Parking is available adjacent to the Regina lot outside of Weber Hall, by the Marshall lot, and outside of the parking ramp in marked areas. Mopeds and motorcycles may not be parked next to or inside buildings or in grassy areas. Violators will be ticketed and towed. Mopeds brought to campus must be removed by May 30 each year. Any mopeds or motorcycles left on campus after this date will be considered abandoned, towed at the owner's expense and/or disposed of. Storage of mopeds and motorcycles is prohibited.

Disabled Persons Parking

Students, faculty or staff parking in a disabled persons stall need to display both their Edgewood College parking permit and their state issued disabled persons permit. The disabled persons permit needs to be visible to Security Staff. The disabled persons permit must be issued to the permit holder. The use of another person's disabled persons permit will result in a citation and loss of parking privileges. The vehicle will be towed at the motorist's expense and the State Department of Transportation will be notified.

Temporary Permits

If a student, faculty, or staff member (with a permit) is driving a different vehicle for the day, they must obtain a one-day temporary parking permit from the Security Office.

Students, faculty, and staff who have not purchased a yearly permit can purchase temporary day passes. Freshmen residents are limited to five weekdays per semester.

Temporary permits must be displayed on the rearview mirror with lettering facing the front windshield.

Temporary permit holders must follow all College parking rules, including not parking in visitor stalls.

Parking Fees

Information regarding the rates for parking on campus are available at <https://edgewood.sharepoint.com/sites/TransportationServices>.

Replacement Permits

Replacements for permanent parking permits can be obtained through the Security Office. You must bring in your old permit to obtain a free replacement permit. Please remember to remove your permit before selling or trading in your vehicle.

There is a \$30 charge to replace permits.

Duplicate Permits

Duplicate permits for secondary cars may be applied for at the Security Office. Resident students are not allowed duplicate permits. Only one car per permit number is allowed on campus at a time. If multiple vehicles with the same permit number are on campus at the same time, each vehicle will be ticketed and towed.

Short Term Parking

Parking meters are provided for short term parking on campus (i.e. dropping off items, etc.) located in the Regina -Lot. 20 minutes maximum per vehicle (this will be monitored). Permit holders are required to pay meter rates and are subject to the 20 minute time limit. Violators will be ticketed.

POSTING POLICY

Publicity Regulations

Notices may be posted only in the designated areas. No commercial advertising may be posted. Any notice posted in violation of the regulations will be removed. Please have your posters approved by the Office of Student Inclusion & Involvement at least one week prior to posting.

Posting

Posted materials should be attractive, in good taste, and free of error.

1. The bulletin boards are reserved for **Edgewood College events and campus resources only**. Campus resources will be posted in designated areas.
 - o Exceptions may be made by the Vice President for Student Development, Director of Student Inclusion and Involvement, or a designee.
Exceptions may only be made for Edgewood College students, faculty, or staff wanting to post events or opportunities that directly affect the campus community.
2. Due to space limitations, posting is available on a first come, first serve basis. No posters may cover previously posted material.
3. All advertising materials to be posted must have the name of the recognized campus organization or department clearly identified as the sponsoring group. Additionally, all signs must include the date, time, location, contact information, and any other information pertinent to the event. The date should include the day of the week (i.e., Monday, September 23, 2013).
4. All materials must be stamped and posted by the Office of Student Inclusion & Involvement.
5. One posting is allowed for events held off campus or non-Edgewood sponsored events on the designated bulletin board in the Predolin Commons. For sale or for rent postings are not allowed.
6. Please be advised that some bulletin boards are limited to the use of academic departments only. Each designated bulletin board is clearly marked.
7. Posters or other similar materials may not be posted on any exterior surface of the College buildings. Nothing shall be affixed to any walls, windows, doors or doorframes.
8. Large posters (11x17) are accepted; however, it is more likely that the regular sized paper (8.5x11) will fit on the boards more easily.
9. In all buildings, one flyer per event per bulletin board.
10. Posted materials will be removed from all areas upon the expiration date or if not in compliance to this policy.
11. Sidewalk chalking is allowed only on pavement that is not covered by a shelter. Sidewalk chalk is not allowed on vertical surfaces.
12. The Office of Student Inclusion & Involvement reserves the right to remove materials that are not posted in accordance with this policy.

The numbers of copies needed in each building are available from the Office of Student Inclusion & Involvement. Please see the Residence Life Handbook for additional information concerning posting in the residence halls.

SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE POLICY

Statement

Members of the Edgewood College community, guests, and visitors have the right to be free from all forms of sex/gender harassment, discrimination and misconduct, examples of which can include acts of sexual assault, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The College believes in zero tolerance for sex/gender-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including serious action plans when a responding party is found to have violated this policy. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.

Edgewood College policy specifically prohibits all forms of sexual misconduct and relationship violence including but not limited to:

- Sexual harassment
- Non-consensual sexual contact (or attempts to commit same)
- Non-consensual sexual intercourse (or attempts to commit same)
- Sexual exploitation

- Dating, Domestic, or Relationship violence
- Stalking

Often sexual assault and related acts of violence are committed by persons the victim knows from a current or former relationship. Title IX and the Campus Sexual Violence Elimination Act of 2013 ensure that colleges implement policies and programs to prevent sexual harassment, sexual assault, stalking, gender-identity-based violence/harassment, and relationship based violence and to prevent retaliation for reporting such offenses. Harassment of individuals based on their gender, gender identity or gender expression is also prohibited under Title IX.

This policy applies regardless of whether (a) a criminal proceeding has been initiated; (b) the conduct occurred on campus; or (c) involved a College sponsored activity. Retaliation for filing a report or complaint, participating in a related investigation, or disciplinary proceeding is also a violation of this policy. The College will take remedial measures to address violations of this

policy in a manner that is reasonably calculated to prevent such conduct from recurring and to eliminate the effects on victims and the Edgewood College community.

Reports of sexual misconduct will be taken seriously and incidents will be responded to in a prompt, fair, and equitable manner. Upon receiving a report, the College will take appropriate steps to prevent the recurrence of the discrimination or harassment and address its effects. There is a fundamental difference between criminal law and the College's disciplinary actions

The Sexual Misconduct and Relationship Violence Policy apply to all relationships within the College community between and among students, faculty, and staff regardless of their gender identity. Some examples would include but not be limited to the following:

- 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 College 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.
- Conduct by campus visitors towards students and employees will not be tolerated and should be reported to the Director of Security.

Prohibited Conduct

The following behaviors are a violation of the College's Sexual Misconduct and Relationship Violence Policy:

- **Dating Violence:** Dating violence involves violence by a person who is or has been in a romantic or intimate relationship with the victim. Whether a relationship exists will depend on the length, type, and frequency of interaction.
- **Domestic Violence:** Domestic violence refers to violence committed by a current or former spouse or intimate partner, current or former cohabitant, a person with whom a victim shares a child in common, a person similarly situated to a spouse under domestic or family violence law, or anyone else protected under domestic or family violence law. According to [Wisconsin State Statute](#), Domestic Abuse means any of the following, when engaged in by an adult person against their spouse or former spouse, against an adult with whom the person resides or formerly resided, or against an adult with whom the person has a child in common:
 - Intentional infliction of physical pain, physical injury or illness.
 - Intentional impairment of physical condition.
 - First, second, or third degree sexual assault (according to WI State Statute).
 - Physical act that may cause the other person reasonably to fear imminent engagement in the conduct above.
- **Non-consensual sexual contact:** Non-consensual sexual contact is:
 - Any intentional sexual touching,
 - however slight,
 - with any object,

- by a person upon another person,
- that is without consent and/or by force.

Sexual contact includes:

- Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or
- Any other intentional bodily contact in a sexual manner.

- **Non-consensual sexual intercourse:** Non-consensual sexual intercourse is:

- Any sexual intercourse
- however slight,
- with any object,
- by a person upon another person,
- that is without consent and/or by force.

Intercourse includes:

- Vaginal or anal penetration by a penis, object, tongue or finger, the oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

- **Relationship Violence:** Relationship violence refers to violent conduct where the parties involved know each other or had a prior relationship and includes acquaintance rape, domestic violence, and stalking.

- **Sexual Exploitation:** Taking sexual advantage of another person for the benefit of oneself or a third party when consent is not present. This includes, but is not limited to, the following actions (including when they are done via electronic means, methods or devices):

- Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person's consent;
- Indecent or lewd exposure or inducing others to expose themselves when consent is not present;
- Recording any person engaged in sexual or intimate activity in a private space without that person's consent;
- Distributing sexual information, images, or recordings of another person without that person's consent;
- Recruiting, harboring, transporting, providing, or obtaining another person for the purpose of sexual exploitation;
- Inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs.

- **Sexual Harassment:** A form of sex discrimination that is illegal under Title IX of the Higher Education Amendment of 1972. Sexual harassment can occur regardless of the relationship, position or respective of the sexual identity of the parties. Same sex harassment violates this policy as does harassment by a student of a faculty member or a subordinate employee of their supervisor. Harassment because of one's sexual orientation also constitutes a violation of this policy.

Sexual harassment includes:

- Unwelcome sexual advances or requests for sexual favors;
- Unwelcome and/or non-consensual 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;
- Conduct that unreasonably interferes with an individual's academic performance, work performance, or participation in any program or activity and related benefits.

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.

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 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.

- **Stalking:** When one intentionally engages in a course of conduct directed at a specific person that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury to or the death of themselves or a member of their family or household, (s. 940.32, Wis. Stats.). A "course of conduct" means a series of two or more acts carried out over time, however short or long, that show a continuity of purpose, including, but not limited to, any of the following:
 - Maintaining a visual or physical proximity to the victim.
 - Approaching or confronting the victim.
 - Appearing at the victim's workplace or contacting the victim's employer or coworkers.
 - Appearing at the victim's place of residence or contacting the victim's neighbors.
 - Entering property owned, leased, or occupied by the victim.
 - Contacting the victim by telephone or causing the victim's telephone or any other person's telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
 - Photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subdivision applies regardless of where the act occurs.
 - Sending material by any means to the victim or, for the purpose of obtaining information about, disseminating information about, or communicating with the victim, to a member of the victim's family or household or an employer, coworker, or friend of the victim.
 - Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
 - Delivering an object to a member of the victim's family or household or an employer, coworker, or friend of the victim or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the victim.
 - Causing a person to engage in any of acts described above.

Related Definitions

The following terms and phrases will apply to this section:

- **Coercion:** The use of pressure to compel another individual to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion is evaluated based on the intensity, frequency, and duration of the comments or actions. Coercion renders an individual unable to consent.
- **Consent:** Words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. A person is unable to give consent if they are incapacitated because of drugs, alcohol, disabled physically or intellectually, or unconscious (s. 940.224(4), Wis. Stats.).

Consent is informed, knowing, and voluntary participation in any desired sexual activity. It is the responsibility of the person initiating sexual contact to obtain consent. It can be withdrawn by a participant at any time. Silence alone cannot be interpreted as consent. Consent can be given by words or actions, as long as those words and actions create a clear and mutually understandable permission regarding the conditions of sexual activity. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Previous relationships or consent cannot imply consent to future sexual acts. A person who is incapacitated cannot give consent to engage in sexual activity. Incapacitation can result from alcohol or other drug use, unconsciousness, blackout, mental disability, sleep, involuntary physical restraint, or from being drugged. An accused student cannot avoid a violation of this policy by claiming that they were impaired from alcohol or drug use and unable to tell whether the complaining party was incapacitated. The issue is whether a reasonable unimpaired person would know that the other person was incapacitated.

- **Incapacitation:** An individual who is incapacitated lacks the ability to make informed judgments and cannot consent

to sexual contact. Incapacitation is the inability, temporarily or permanently, to give consent because an individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring. Mentally helpless means a person is rendered temporarily incapable of appraising or controlling one's own conduct. Physically helpless means a person is physically unable to verbally or otherwise communicate consent or unwillingness to an act.

Where alcohol or other drugs are involved, incapacitation is a state beyond impairment or intoxication. Where alcohol or other drugs are involved, evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects a person's: decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness. The assessment is based on objectively and reasonably apparent indications of incapacitation when viewed from the perspective of a sober, reasonable person.

- **Retaliation:** Retaliating directly or indirectly against a person who has in good faith filed, supported, or participated in an investigation of a complaint of sexual misconduct as defined above is prohibited. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint, or to provide false or misleading information, or engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment. Depending on the circumstances, retaliation may be unlawful and may constitute a violation of this policy, whether or not the complaint is ultimately found to have merit. Any attempt by a faculty member, employee or student to penalize, threaten, coerce, intimidate, discriminate, or retaliate in any way against a person who makes a report of or who is otherwise involved in a report of sexual misconduct is completely prohibited and will not be tolerated. If you believe that you have been a victim of retaliation during an investigation, please contact the Title IX Coordinator.

Title IX Coordinator Position

The Title IX Coordinator oversees the process for addressing sexual misconduct and relationship violence complaints at the College. The Title IX Coordinator is responsible for conducting an annual report and reviewing all complaints to ensure compliance with Title IX, make improvements, and identify any patterns or systemic problems within the community. The Title IX Coordinator serves as a neutral administrator and resource to students and employees to answer questions, to coordinate reporting and handling of complaints, to review internal disciplinary proceedings and remedies, to provide education, training, and guidance to Security personnel, Student Development, Human Resources and other personnel involved with investigations and disciplinary proceedings.

- Arhelia Dalla Costa Behm
Title IX Coordinator | Director of Human Resources
DeRicci 214
608-663-4304
Email: ADallaCostaBehm@edgewood.edu

Additionally, anonymous reports can be made by victims/survivors and/or third parties using the online reporting form posted at www.tinyurl.com/EdgewoodSV or https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=16096. Note that these anonymous reports may prompt a need for the institution to investigate.

Individuals experiencing harassment or discrimination also always have the right to file a formal grievance with government authorities.

- Office for Civil Rights (OCR) 233 N. Michigan Ave., Suite 240 Chicago, IL 60601
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818 TDD: (800) 537-7697
Email: ocrmail@hhs.gov
Web: <http://www.ed.gov/ocr>

In the event that an incident involves alleged misconduct by the Title IX Coordinator, reports should be made directly to the Vice President for Business and Finance, Michael Guns at mguns@edgewood.edu or 608-663-6714.

Title IX Deputy Coordinator(s): The College has also designated Deputy Title IX Coordinators who assist the Title IX Coordinator. A Title IX Deputy Coordinator is responsible for assisting the Title IX Coordinator in conducting training,

investigations, climate assessments, and facilitating communications on behalf of the College with the faculty, staff and/or students who report violations, the respondents, and other administrators responsible for administering this policy.

Title IX Deputy Coordinators include;

- Assistant Vice President for Student Development, Matthew Sullivan, msullivan@edgewood.edu, 663-2212
- Vice President for Student Development, Heather Harbach, hharbach@edgewood.edu, 663-2212
- Director of Security, Mike Metcalf, mmetcalf@edgewood.edu, 663-3285

Overview of Policy Expectations with Respect to Physical Sexual Misconduct

The expectations of our community regarding sexual misconduct can be summarized as follows:

- In order for individuals to engage in sexual activity of any type with each other, there must be clear, affirmative, and voluntary consent prior to and during sexual activity.
- Consent is sexual permission.
- Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't want.
- Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity.
- Previous consent does not imply consent to sexual activity in the future.
- Silence or passivity – without actions demonstrating permission – cannot be assumed to show consent.
- Consent, once given, can be withdrawn at any time. There must be a clear indication that consent is being withdrawn.

Overview of Policy Expectations with Respect to Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect.

Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation under the college's sexual misconduct and harassment policies. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student, supervisor-supervisee) are generally discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or shift the student out of being supervised or evaluated by someone with whom they have established a consensual relationship. This includes Resident Assistants (RAs) and students over whom they have direct responsibility. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

Available Options in Incidents of Sexual Misconduct and/or Relationship Violence

Edgewood College is committed to treating all members of the community with dignity, care, and respect. Any individual who experiences or is affected by sexual misconduct and/or relationship violence, whether as a complainant, a respondent, or a third party, will have equal access to support and counseling services through the College. Interim remedies are also available to all parties.

The College recognizes that deciding whether to make a report, either to the College or law enforcement, and choosing how to proceed, can be difficult decisions. The College encourages all individuals affected by sexual misconduct and relationship violence to seek the support of campus and community resources. These professionals can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this policy is pursued. Individuals are encouraged to use all available resources on and off campus, regardless of when or where the incident occurred.

Seek Support

All College employees (faculty, staff, administrators) are expected to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate College officials – thereby offering options and advice without any obligation to inform an outside agency or campus official unless a reporting party has requested information to be shared. Other resources exist for reporting

parties to report crimes and policy violations and these resources will take action when an incident is reported to them. The following describes the reporting options at the College:

Confidential Support Contacts. Under Title IX, Edgewood College may designate certain individuals as confidential support resources. Confidential Support Contacts are not obligated to investigate or report information. Complainants can call or approach any of the following professional staff confidentially and inform them about what happened. They will listen and explain options. Talking to any of the following people does not constitute reporting the incident to the College.

Edgewood College has designated the following individuals as Confidential Support Contacts:

- Director of Personal Counseling: Dominican 122 | 608-663-4148
- Director of Health Services: Dominican 122 | 608-663-8334
- Rape Crisis Center Advocate: Dominican 122 | 608-251-7273

In addition to the above on-campus supports, students may wish to seek support from any of the following community resources:

- RAINN (Rape, Abuse & Incest National Network)
Online hotline: <https://hotline.rainn.org/online/terms-of-service.jsp> 800-656-HOPE (4673)
- Dane County Rape Crisis Center 24-hour help line: 608-251-7273
- Domestic Abuse Intervention Services 24-hour help line: 608-251-4445

Mandatory Reporters. All College employees have a duty to report, unless they fall under the “Confidential Support Contacts” section above. Reporting parties may want to consider carefully whether they share personally identifiable details with non-confidential employees, as those details must be shared with the Title IX Coordinator. Employees must promptly share all details of the reports they receive. Generally, climate surveys, classroom writing assignments or discussions, human subjects research, or events such as Take Back the Night marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the reporting party clearly indicates that they wish a report to be made. Remedial actions may result from such disclosures without formal College action.

If a reporting party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the reporting party may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. Note that the College’s ability to remedy and respond to a reported incident may be limited if the reporting party does not want the institution to proceed with an investigation and/or the student conduct process.

In cases indicating pattern, predation, threat, weapons and/or violence, the College will likely be unable to honor a request for confidentiality. In cases where the reporting party requests confidentiality and the circumstances allow the College to honor that request, the College may offer interim supports and remedies to the reporting party and the community, but will not otherwise pursue formal action. A reporting party has the right, and can expect, to have allegations taken seriously by the College when formally reported, and to have those incidents investigated and properly resolved through these procedures.

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told, including but not limited to: Dean of Students Office, Campus Security, Academic Deans Office, and Human Resources. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party’s rights and privacy. (Additionally, anonymous reports can be made by victims and/or third parties using the “Report Student Concerns” option on the DeanofStudents.edgewood.edu site. Note that these anonymous reports may prompt a need for the institution to investigate.)

Failure of a non-confidential employee, as described in this section, to report an incident or incidents of sex/gender harassment or discrimination of which they become aware is a violation of College policy and can be subject to disciplinary action for failure to comply. Under Title IX, a college is required to take immediate and corrective action if a “responsible employee” knew or, in the exercise of reasonable care, should have known about sexual or gender-based violence or harassment that creates a hostile environment. Under the guidance of the Title IX Coordinator, the College will conduct an initial assessment of the conduct; of the complainant’s expressed preferences, if any, as to course of action; and of the necessity for any interim measures to protect the safety of the complainant or the community. The goal is to eliminate any hostile, intimidating, or objectively offensive environment.

Any student or employee who believes they are the victim of sexual harassment or other forms of sexual misconduct should report the incident promptly in the manner most comfortable to them.

Edgewood College's Title IX Coordinator is Arhelia Dalla Costa Behm in the Office of Human Resources (DeRicci 215 | 608-663-4304 | ADallaCostaBehm@edgewood.edu). Responsible employees may make reports of sexual misconduct to the Title IX Coordinator directly or through any of the Reporting Contacts, which are listed under "File a Report with the College" in the section titled How to File a Complaint or Report a Student Code of Conduct Violation.

Seek help from the Forensic Nurse Examiners Program. Students who experience sexual assault are encouraged to go to the Emergency Department at Meriter Hospital (Unity/Point Health) to consult with a Forensic Nurse Examiner. These medical professionals have advanced education and instruction in medical-forensic examination and in psychological and emotional trauma. Even if a survivor doesn't intend to file a report with the police, it is important to preserve evidence. Some survivors decide to report their assault after a period of time has passed. Preserving as much evidence as possible will help to ensure survivor rights are able to be enforced. The Forensic Nurse Examiners will collect medical-forensic evidence and empower the survivor to create a plan for self-care. Find more information online at <https://www.unitypoint.org/madison/sexual-assault-nurse-examiner-program.aspx>.

File a Report/Complaint with the College. If the student wants to initiate a complaint, they may either do so through their Confidential Support Contact or by contacting one of the Reporting Contacts listed below. The Reporting Contact will explain the complaint process, internal and external support services, and interim measures such as:

- No contact order between complainant and respondent: Edgewood College students or employees who are issued a no contact order, restraining order, or similar relief from a court should contact the Dean of Students Office. The Dean of Students Office will notify appropriate College officials and the parties to coordinate compliance. Examples of steps that may be taken to comply with such orders include changing class schedules and living arrangements.
- Change in academic, working, and living situations if requested and reasonably available, for the complainant or the respondent.
- Transportation assistance or security escorts.

Reporting Contacts. These individuals are trained annually on issues related to sexual misconduct and relationship violence and receive specific instruction about respecting and safeguarding private information.

- Title IX Coordinator: Arhelia Dalla Costa Behm
Director of Human Resources
DeRicci 214 | 608-663-4304 | ADallaCostaBehm@edgewood.edu
- Deputy Title IX Coordinator: Matthew Sullivan
Assistant Vice President for Student Development
Predolin 215 | 608-663-2212 | msullivan@edgewood.edu
- Deputy Title IX Coordinator: Heather Harbach
Vice President for Student Development
Predolin 215 | 608-663-2212 | hharbach@edgewood.edu
- Deputy Title IX Coordinator: Matt Jurvelin
Assistant Dean, Predolin School of Nursing
DeRicci 302C | 608-663-6794 | mjurvelin@edgewood.edu
- Deputy Title IX Coordinator: Suann Saltzberry
Assistant Director of Athletics
Edgedome D23 | 608-663-3249 | ssaltzberry@edgewood.edu

File a Report with Law Enforcement. Filing a complaint with the City of Madison Police Department or other law enforcement agency is encouraged, but not required. The complainant is entitled to the assistance of an Edgewood College representative 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. Filing a complaint with the police is a separate process from the College's student conduct process. Complainants who want to report incidents directly to the police should call 608-255-2345 or visit <https://www.cityofmadison.com/police/contact/> for more options. Complainants retain the right to decline to file a report with law enforcement and will continue to receive support from the College regardless of if they reported to law enforcement.

Formal Complaint

If one chooses to proceed with a formal complaint, the complaint may initially be communicated either orally or in writing. In either case, to be considered a formal complaint, the filing of the complaint must be documented in writing. A Reporting Contact could assist in creating the documentation in writing.

If the complaint involves a combination of faculty, staff and students, the complainant may choose to complain directly to the office responsible for that population. For example, students who wish to file a complaint against a faculty member could go either to the Dean of Students Office or Academic Dean's Office.

Internal Investigations

In cases of reported sexual misconduct or relationship violence, regardless of whether or not the complainant files a criminal complaint and/or wants the school to take action, the College will conduct an internal investigation to the greatest extent possible while honoring the complainant's request for confidentiality. This investigation is to ensure that a hostile environment does not exist and will not proceed through the student conduct system against the wishes of the complainant, unless it is determined that there is an ongoing threat to community safety.

In instances where a student insists on confidentiality, it may limit the College's ability to investigate and/or respond. Depending upon the severity of the allegation, the College may have to disclose to the community that an assault has occurred and investigate further because of its obligation to provide a safe and non-discriminatory environment for all students. In cases where students request confidentiality but the College proceeds with an investigation and remedial action, only people who need to know will be told, and that information will only be shared as necessary with investigators, witnesses, and the accused individual. Factors that may impact the ability of the College to honor the request of the complainant to not investigate include the seriousness of the alleged conduct, whether there have been other complaints about the same individual, and the respondent's rights to receive information maintained in education records covered by the Family Educational Rights and Privacy Act. Students who are adamant about not investigating or reporting should consult with the Confidential Support Contacts listed in this policy.

However, all other College personnel have an independent obligation to report and/or investigate information regarding sexual misconduct incidents that come to their attention where they know or a reasonable person should have known that such conduct may have occurred.

The College will work with both the complainant and respondent to help them locate support persons throughout the investigation and student conduct process. The support persons are not required to be a College community member and can include support people such as family or legal support. Either party may refuse the assistance of a support person, but the offer must be made.

All respective offices will inform the Title IX Coordinator of any reported allegations. The Title IX Coordinator will remain a neutral administrator in the disciplinary process involving sexual misconduct allegations. The Title IX Coordinator will work with all involved parties, and will be responsible for making certain all reported grievances are managed in accordance with the Sexual Misconduct and Relationship Violence Policy. The Title IX Coordinator will not ultimately determine if a policy violation occurred. The Title IX Coordinator will:

- Maintain confidential records.
- Make certain only people who need to know will be told and that information will only be shared as necessary with investigators, witnesses, and the accused individual.
- Work with Campus Security and the Dean of Students Office to issue immediate warnings for incidents that are confirmed to pose a substantial threat of bodily harm or danger to members of the College community. In these instances, every effort will be made to ensure that a victim's name and other personally identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

If one of the College official involved in the process (i.e. Title IX Coordinator, Deputy Coordinators, etc.) is alleged to be the person who engaged in sexual misconduct or relationship violence, the written report may be filed with the Office of the President. If there is a complaint against the College President, the complaint will be investigated by the Board of Trustees, whose decision is final. Once a report is made, the College will conduct an investigation and issue action plans, if appropriate.

College Response Options

The College's primary concern is safety for members of our community. Students are encouraged to report suspected violations of this policy to promote the health and welfare of our community. In general, a student reporting an incident or complaint will be given amnesty under the Good Samaritan/Medical Amnesty Policy for potential related Student Code of Conduct violations

(e.g. alcohol or drug use) because such conduct never makes the victim at fault for sexual misconduct or relationship violence. Please see the Good Samaritan/Medical Amnesty Policy for more information.

The College's response will depend on the nature and severity of the incident and whether or not it can be determined that a policy violation has occurred. If it appears that a policy violation has occurred, the normal student conduct/behavioral review process should be followed. Proceedings will include a prompt, fair and impartial process from initial investigation to the final result. The range of responses and/or action plan/sanctions includes but is not limited to:

- Intervention by supervisor or appropriate authority
- No contact order between complainant and respondent. Edgewood College students or employees who are issued a no contact order, restraining order, or similar relief from a court should contact the Dean of Students Office. The Dean of Students Office will notify appropriate College officials and the parties to coordinate compliance. Examples of steps that may be taken to comply with such orders include changing class schedules and living arrangements.
- Change in academic, working, and living situations if requested and reasonably available, for the complainant or the respondent.
- Disciplinary action, if appropriate.
- Referral to law enforcement when there is danger or threat to community and/or when requested by the complainant.
- No action.

For more information about the disciplinary process, please see Procedures for Allegations Sexual Misconduct and Relationship Violence.

Supportive Measures

Upon receiving information about an incident, supportive measures may be taken to prevent reoccurrence and protect both parties. Failure to adhere to any of the supportive measures taken during an investigation is a violation of policy and may lead to additional disciplinary action(s). Supportive measures that may be imposed include but are not limited to:

- Change in academic, working, and living situations if requested and reasonably available, for the complainant or the respondent.
- Transportation assistance or security escorts.
- College-issued no contact order between complainant and respondent. College administrators are authorized to issue a No Contact Order (NCO) prohibiting contact between students when there exists a reasonable concern that physical or psychological harm may result from such contact.
- Court-ordered no contact order between complainant and respondent (obtained outside of the College). Edgewood College students or employees who are issued a court-ordered no contact order, restraining order, or similar relief should contact the Campus Security Director. The Campus Security Director will notify appropriate College officials and relevant parties to coordinate compliance. Examples of steps that may be taken to comply with such orders include changing class schedules and living arrangements.

College-Issued No Contact Orders

The College will consider all facts and circumstances that may be relevant to whether a No Contact Order (NCO) should be issued, including, but not limited to, the following factors:

- When there are allegations, threats, or evidence of physical violence by one student against another.
- When there are allegations, threats, or evidence of emotional abuse or harassment by one student of another.
- When there is a substantial risk of emotional harm from continued contact between students.
- When continued contact between students may have a material impact on campus disciplinary proceedings.
- When requested or agreed to in good faith by both students involved.
- When there are allegations of college policy violations.

All NCOs shall provide that neither student may have contact with the other. "Contact" includes, but is not necessarily limited to, in-person contact, telephone calls, email, texts and other forms of electronic communication, social media-based messages or postings, and third party communications including through proxies.

NCOs may include additional protective measures or other terms specific to the safety, well-being, or other needs of either or both students subject to the NCO, when deemed necessary by the College. Any additional terms shall be expressly stated in the NCO. Additional protective measures or other terms need not be reciprocal. They may include, but are not limited to, the following:

- Restricting a student from being in close proximity to the other student;
- Restricting a student's access to certain campus locations, including the other student's residence hall;
- Restricting the times a student may be present in on-campus dining facilities;

- Requiring that the students not be enrolled in the same academic course(s); and
- Requiring that the students not participate in the same co-curricular or extra-curricular activities.

Each NCO will remain in effect until the graduation or withdrawal of at least one of the parties, unless the NCO expressly provides otherwise or if it is modified or rescinded by the College. A student seeking the modification or rescission of an NCO shall so request the administrator who issued the NCO. The issuing administrator shall consult with both parties before determining whether or not to modify or rescind the NCO.

No Contact Orders are not considered action plans, and may remain in place after the student conduct process, as determined by the Assistant Vice President for Student Development.

Violations of No Contact Orders are subject to disciplinary action under the Student Code of Conduct.

Students who have interpersonal conflicts that do not raise concerns for individual health and safety will not be granted NCOs. These individuals should pursue other forms of conflict resolution, such as mediation or restorative justice, offered through the Dean of Students Office.

Anonymous Reporting

Any individual may make an anonymous report concerning an act of sexual harassment, sexual assault, stalking, domestic violence, or relationship violence. An individual may report the incident without disclosing their name, identifying the respondent, or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, the College's ability to respond to an anonymous report may be limited.

The College's anonymous reporting system is hosted by EthicsPoint. This service allows the College to communicate with the person making the report, while maintaining confidentiality and if so indicated, anonymity. EthicsPoint maintains all information regarding these reports on their secure servers.

The Title IX Coordinator will receive the information contained in the anonymous report and will determine any appropriate response or action, including individual or community remedies as appropriate. In consultation with the Director of Campus Safety and Security, the Title IX Coordinator will determine if the anonymous report provides sufficient information to submit a Clery crime report.

To report anonymously online: https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=16096

EthicsPoint is NOT a 911 or Emergency Service: If you require immediate or emergency assistance, please contact the Edgewood College Campus Security at 608-663-4321 or dial 911.

PROCEDURES FOR ALLEGATIONS OF SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE

Edgewood College policy specifically prohibits all forms of sexual misconduct, relationship violence and retaliation including, but not limited to, sexual harassment, sexual assault, sexual exploitation, relationship violence, domestic violence, and stalking between or against members of its community. Please see the Sexual Misconduct and Relationship Violence Policy for more details.

The procedures described in this Handbook are not intended to mimic legal proceeding but to advance the educational mission of the College. Formal rules of evidence and procedure used by the courts do not apply to student discipline proceedings at Edgewood College.

Both the complainant and respondent are strongly encouraged to cooperate during the investigation for the College to be able to determine an accurate outcome. Personally identifiable information will not be shared unless the complainant gives express consent to do so.

Following is a general outline of how the College addresses reported allegations of sexual misconduct or relationship violence:

The Formal Resolution for violations of the Sexual Misconduct and Relationship Violence Policy may only be pursued after a formal complaint has been filed. The Title IX Coordinator will identify the potential violations and prepare the initial notification of investigation outlining the charges to be investigated and assessed. At the completion of the investigation, the complaint will be addressed through the Hearing Resolution for violations of the Sexual Misconduct and Relationship Violence Policy. Both parties will have the opportunity to appeal the decision regarding responsibility and any sanctions imposed. The College may delay

granting a diploma otherwise earned until the completion of all phases of a Formal Resolution, including completion of an appeal and/or any sanctions imposed.

Investigation

The parties and their advisors will receive written notice that an investigation has been initiated. The notice of investigation will include:

- the identities of the parties involved;
- the specific section/s of the policy allegedly violated;
- the precise conduct alleged to constitute the potential violation/s;
- the approximate date, time, and location of the alleged incident;
- a statement indicating that the respondent is presumed not responsible for the alleged conduct;
- a statement that the determination of responsibility will be made at the conclusion of a Formal Resolution;
- a notice that parties have the right to an advisor of their choice;
- the name of the investigators and the ability to challenge their participation for conflict of interest or actual bias;
- the appropriate policy language prohibiting a party from knowingly making false statements or knowingly submitting false information; and
- notice that retaliation is prohibited.

The notice shall be provided reasonably in advance of any interview with the investigators, with sufficient time for meaningful preparation. The Title IX Coordinator, in consultation with the investigators, may amend the charges as part of the investigative process. The Title IX Coordinator will, if appropriate, issue amended charges to both parties.

The Title IX Coordinator will designate investigator(s) to conduct an adequate, reliable and impartial investigation. The College reserves the right to engage an external investigator as one or both of the two assigned investigators. In complex situations, the Title IX Coordinator may engage additional trained investigators to assist in gathering the information that will be considered by the primary investigators. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not the parties.

The parties will have an equal opportunity to present witnesses, including expert witnesses, and to submit evidence. The investigators will also gather any available physical evidence, including documents, communications between the parties, and other electronic records as appropriate and available. The parties may submit questions to be asked of parties and witnesses. Investigators will review submitted questions and, in their discretion, may choose which questions are necessary and appropriate to the investigation and conduct any follow-up, as they deem relevant. All parties and witnesses are expected to provide truthful information. Knowingly providing false or misleading information is a violation of College policy and can subject a student or employee to disciplinary action. Making a good faith report to the College that is not later substantiated does not constitute false or misleading information.

The Title IX Coordinator may combine multiple complaints that arise out of the same set of facts or circumstances into one investigation. Where multiple complainants or respondents are involved in the same investigation, the parties will only be provided with the appropriate portion(s) of the investigative documents that relate to the complaint(s) in which they are a party.

A person's medical, counseling/psychological, and similar treatment records are privileged and confidential documents that a party will not be required to disclose. Where a party provides their written permission to share medical, counseling/psychological, and similar treatment records as part of the investigation, only the portion of the records directly related to the allegations raised in the formal complaint will be included in the case file for review by the other party and for use in the investigative process.

Evidence related to the prior sexual history of the complainant is generally not relevant to the determination of a policy violation and will only be considered in very limited circumstances. For example, to prove that someone other than the respondent committed the alleged conduct, or where the existence of consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship. However, even in the context of a relationship, consent to one sexual act does not, by itself, constitute consent to another sexual act, and consent on one occasion does not, by itself, constitute consent on a subsequent occasion.

Information regarding other acts by a party will be permitted as relevant where the nature and means of those other acts may affect credibility of the assertions in the current case. It is not required that the party have been found responsible for policy violations related to those other acts for them to be included in the current case. Any party seeking to introduce information

about prior sexual history or other acts of the other party should bring this information to the attention of the investigators at the earliest opportunity.

If the Title IX Coordinator determines that reports of other acts by a party may be relevant, the Title IX Coordinator may, in their discretion, offer the information to the investigators for their consideration to determine whether it may be relevant. The investigators may determine, in their discretion, whether and how to follow up on that information within the scope of their current investigation. It is ultimately the decision-maker's discretion to determine whether the information is relevant in the current case.

Any party seeking to introduce information about prior sexual history or other acts by a party should bring this information to the attention of the investigators at the earliest opportunity. While the investigators may explore relevant areas of inquiry, the Title IX Coordinator has the discretion to make the final determination whether evidence of prior sexual history or other misconduct is relevant and should be included in the report.

If, at any time, the respondent agrees to a finding of responsibility to some or all of the charged conduct, the matter may be referred to a Formal Resolution for adjudication, or if all parties agree, referred to Informal Resolution. The College will seek to complete the investigation in a reasonable timeframe from the notice of investigation. This time frame may be extended for good cause with written notice to the parties of the delay and the reason for the delay. Good cause may be based on delays occasioned by the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other circumstances, all of which will likely extend the length of time it takes to complete the investigation. The Title IX Coordinator will provide regular updates to all parties regarding the progress of the investigation.

Review of Evidence

The evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint will be made available to the parties and their advisors, including the evidence upon which the College may not rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence. The parties will have 10 calendar days to review the evidence. The parties will be offered the opportunity to review the evidence and provide a written response that will be submitted to the investigators for the completion of the Investigation Report.

Due to the privacy of all those involved, evidence shared in an electronic format will not be printable, downloadable or electronically shareable by the parties or their advisors. Exceptions may be made in compliance with Section 504 of the Rehabilitation Act of 1973.

Investigation Report

Once the parties have reviewed the evidence and have submitted responses, or the time period to submit such responses has passed, the investigators will complete any follow up they deem necessary, and write the investigation report. The investigation report will include, but is not limited to, the following sections:

- overview of the complaint made and summary of the investigative methodology;
- summary of relevant information gathered, including:
 - timeline of incident being investigated;
 - complainant's account of events;
 - respondent's account of events;
 - witness accounts;
 - evidence gathered;
- areas of agreement;
- areas of disagreement;
- assessment of whether or not the complaint meets one or more of the required elements of the definition of sexual harassment under Title IX, including rationale; and
- appendix containing all of the collected evidence.

The investigation report will not include:

- Information about the complainant's sexual predisposition or prior sexual behavior, unless:
 - The information is to prove that someone other than the respondent committed the alleged conduct; or
 - The information concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent
- Information that is protected by a legally recognized privilege; and
- A party's medical, counseling/psychological, and similar treatment records unless the party has given voluntary, written consent.

At the time the Title IX Coordinator shares the investigative report with the parties and their advisors, the parties have 10 calendar days to submit their written response to the Investigation Report. The response may include an assertion that evidence not summarized in the report, but present in the case file, should be considered as relevant.

In a case with multiple charges, if any of the charges fall under all the charges in that case will be handled at the same time through the Hearing Resolution process.

Hearing Resolution

A Hearing Resolution will be used to resolve cases that include allegations of violations of the Sexual Misconduct and Relationship Violence Policy. If such cases also include other charges, all the charges in that case will be handled at the same time through the Hearing Resolution process. A Hearing Resolution includes a pre-hearing conference, a live hearing, decisions about responsibility and sanctioning by the Hearing Chair or Panel, and an optional appeal process.

A single Hearing Chair will typically conduct the live hearing. The Title IX Coordinator chooses a trained, impartial Hearing Chair. In some cases, at the discretion of the Title IX Coordinator, a 3-person Hearing Panel will be convened to conduct the hearing, whose members are selected by the Title IX Coordinator. When a 3-person Hearing Panel is convened, one of the panelists will serve in the role of the Hearing Chair and a majority vote is required to make the determination of responsibility. The Hearing Chair and Hearing Panelists cannot be the individual assigned in the role of the Title IX Coordinator for the case, nor can they have acted in the role of an investigator or served in any other function that would pose a potential conflict of interest.

Pre-Hearing Conference

Each party will have their own pre-hearing conference. The Title IX Coordinator will communicate to the parties, their advisors, and the Hearing Chair the date, time, and format for their Pre-Hearing Conference. The Title IX Coordinator, the Hearing Chair, and the advisor must be in attendance. While the parties are strongly encouraged to attend, they are not required to do so.

During the Pre-Hearing Conference, the advisors must share with the Hearing Chair their list of witnesses to appear at the hearing, the identity of any requested witnesses that were not questioned during the investigation, the request for any new evidence to be considered that was not submitted previously to the investigators, and the availability of the advisor and the party for hearing dates.

Evidence and witnesses may only be presented at the hearing if they were submitted to the investigators and made available to the parties for review, unless they were unavailable at the time of the investigation or the relevance was unknown until the investigative report was submitted. The Hearing Chair will address any requests to present new evidence and new witnesses at the Pre-Hearing Conference.

The advisor is strongly encouraged to discuss lines of questioning with the Hearing Chair at the Pre-Hearing Conference to obtain guidance from the Hearing Chair on relevancy prior to the hearing. The Hearing Chair will discuss the expectations and guidelines for appropriate behavior and decorum during the hearing.

After reviewing each party's witness list, the Hearing Chair may, at their discretion, add names of other witnesses contained in the report for the purpose of appearing at the hearing and submitting to cross-examination.

After the conclusion of the Pre-Hearing Conferences, the Title IX Coordinator will provide each party and their advisor with written notice of the date, time, and manner for the hearing, which will typically occur no less than 5 business days after the conclusion of the final pre-hearing conference.

Live Hearing

The live hearing may be conducted with all parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. Regardless of format, the hearing will be recorded, and the recording will be the property of Edgewood College, and will be made available to the parties for review and inspection upon their request during the pendency of the process.

Those persons present during the entirety or at designated portions of the hearing include: complainant, complainant's advisor; respondent, respondent's advisor; Hearing Chair/Panel; Title IX Coordinator; witnesses; other appropriate individuals at the discretion of the Title IX Coordinator (for example, an interpreter).

The Hearing Chair will provide an introduction detailing the purpose of the hearing, have those present identify themselves and their role, remind all parties of the expectation to be candid and honest in their response, and provide a brief overview of the

procedure and the anticipated order of the hearing.

The advisors will be responsible for orally asking relevant questions, including those questions which challenge credibility, to the other party or parties and any witnesses directly, in real-time and in a manner that, in the Hearing Chair's sole discretion, is not inappropriate, harassing, intimidating, irrelevant, or redundant. Cross-examination will never be conducted by a party personally. Only relevant questions may be asked of a party or witness. Relevant questions are those tending to prove or disprove a fact at issue. Questions that are not relevant include:

- Repetition of the same question;
- Questions related to information about the complainant's sexual predisposition or prior sexual behavior, unless:
 - The information is to prove that someone other than the respondent committed the alleged conduct; or
 - The information concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent
- Questions related to information that is protected by a legally recognized privilege; and
- Questions related to a party's medical, counseling/psychological, and similar treatment records unless the party has given voluntary, written consent.

The Hearing Chair/Panel also is permitted to orally ask relevant questions. The Hearing Chair/Panel will objectively evaluate all evidence to determine its relevance, materiality, weight and reliability.

Before a complainant, respondent, or witness answers a question by an advisor, the Hearing Chair will first determine whether the question is relevant and briefly explain any decision to exclude a question as not relevant, or request rephrasing of the question. The Hearing Chair is not required to give a lengthy or complicated explanation of a relevancy determination during the hearing. The Hearing Chair may later send to the parties any revisions to the explanation of relevance that was provided during the hearing.

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Chair/Panel must not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Hearing Chair/Panel cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. However, video evidence showing the conduct alleged within a complaint may be considered, even if the party does not submit to cross-examination. Further, a respondent's verbal or written conduct that is alleged to constitute the sexual harassment at issue is not considered to be the respondent's "statement" and thus, information about or evidence of such conduct may be admitted even if the respondent does not submit to cross-examination.

Decision/Finding/Sanctions

Decisions regarding responsibility will be made by the Hearing Chair/Panel and communicated to the parties and their advisors in writing within 15 business days from the conclusion of the live hearing. When a 3-person Hearing Panel is convened, one of the panelists will serve in the role of the Hearing Chair and a majority vote is required to make the determination of responsibility. The Hearing Chair/Panel should first evaluate the quality of the evidence. The Hearing Chair/Panel should consider all of the evidence regardless of who provided it. Any evidence the Hearing Chair/Panel finds to be of high quality should be given more weight than any evidence the Hearing Chair/Panel finds to be of low quality. Quality may, or may not be identical with quantity, and sheer quantity alone should not be the basis for a finding of responsibility. The testimony of a single party or witness may be sufficient to establish a fact.

The Hearing Chair/Panel will evaluate all admissible, relevant evidence for weight or credibility. Credibility is not based solely on observing demeanor, but also considers detail, interest or bias, corroboration where it would reasonably be expected to exist, the circumstances of the disclosure, and the nature of the relationship. The degree to which any inaccuracy, inconsistency, or implausibility in a narrative provided by a party or witness should affect a determination regarding responsibility is a matter to be decided by the Hearing Chair/Panel, after having the opportunity to ask questions of parties and witnesses, and to observe how parties and witnesses answer the questions posed by the other party. Corroborating evidence is not required.

The Hearing Chair/Panel will not consider or rely on:

- Information about the complainant's sexual predisposition or prior sexual behavior, unless:
 - The information is to prove that someone other than the respondent committed the alleged conduct; or
 - The information concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent
- Information that is protected by a legally recognized privilege; and

- A party's medical, counseling/psychological, and similar treatment records unless the party has given voluntary, written consent.

A party's answers to questions can and should be evaluated by the Hearing Chair/Panel in context, including taking into account that a party may experience stress while trying to answer questions, or other factors that may affect the party's ability to recall the specific details of an incident in sequence.

The Hearing Chair/Panel will also determine the sanctions. In determining the sanctions, the Hearing Chair/Panel will consult with the appropriate College staff member. For reports against students or student groups, the Director of the Office of Student Rights and Responsibilities; for reports against staff, the Director of Human Resources; for reports against faculty, the Provost. For a range of possible sanctions see Section XI.H.

The written decision will include the following:

- identification of the allegations potentially constituting policy violations;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- summary of statements made at the hearing,
- findings of fact supporting the determination;
- conclusions regarding the application of the Policy to the facts;
- a statement and rationale as to the finding for each allegation, including a determination regarding responsibility;
- any disciplinary sanctions imposed on the respondent;
- whether additional remedies will be provided to the complainant designed to restore or preserve the complainant's equal access to the College's educational programs or activities; and
- the opportunity for appeal.

The written decision will be provided to the parties simultaneously.

When remedies are provided, they will be determined and monitored by the Title IX Coordinator throughout the Complainant's enrollment, employment, and/or engagement with the College. Availability of a particular remedy may depend on the College's current relationships with the Complainant or Respondent.

Appeal of Finding and/or Sanctions

In cases involving the Sexual Misconduct & Relationship Violence Policy, both the complainant and respondent may appeal the outcome, including a finding of responsibility (or no responsibility) and/or the sanction. In a request for an appeal, the burden of proof lies with the party requesting the appeal. Dissatisfaction with the outcome of the investigation is not grounds for appeal. The limited grounds for appeal are as follows:

- A procedural error or irregularity which substantively affected the outcome of the student conduct process.
- New evidence that was not available at the time of the student conduct conference and which could have a substantial impact on the outcome of the student conduct process. A summary of this new evidence and its potential impact must be included with the appeal.
- The Title IX Coordinator, investigator(s), or Hearing Chair/Panel had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
- The sanction imposed are substantially disproportionate to the severity of the violation.

The Appeal Officer is the Vice President for Student Development. In the instance when the Vice President for Student Development is unable to serve, the alternate Appeal Officer is determined by the classification of the respondent:

When the Appeal Officer is unable to serve, the Title IX Coordinator will select a trained individual to be the Appeal Officer with notice to the parties.

The Appeal Officer must be a neutral and impartial decision maker. The parties will be informed, in writing, of the specific Appeals Officer. Within 1 calendar day of receiving the notice of the designated Appeals Officer, the complainant and the respondent may submit a written request to the Title IX Coordinator to replace the named Appeals Officer if there are reasonable articulable grounds to establish bias, conflict of interest or an inability to be fair and impartial. The designated Appeals Officer will only be replaced if the Title IX Coordinator determines their bias precludes impartiality or constitutes conflict. Additionally, an Appeals

Officer who has reason to believe they cannot make an objective determination must recuse themselves from the process.

A complainant or respondent must submit a written appeal to the Title IX Coordinator and within 5 business days of receipt of the Notice of Outcome. The written appeal must include the specific basis for the appeal and any information or argument in support of the appeal. Upon receipt of the appeal, the Title IX Coordinator will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response to the appeal must be submitted to the Title IX Coordinator within 3 business days from the other party's receipt of the appeal. Appeal responses are shared with the other parties but no reply is permitted.

The Appeals Officer will make a decision regarding the written appeal and, within 10 business days of receipt of all appeal documents, notify the complainant and the respondent of the outcome. The Appeal Officer may affirm the finding(s); alter the finding(s); alter the sanctions; or request that additional steps be taken.

Appeal decisions are final. All appeal deadlines may be extended for good cause by the Title IX Coordinator. Any extension will be communicated to the parties.

Advisor of Choice

Complainants and respondents, in cases involving the Sexual Misconduct and Relationship Violence Policy, may be accompanied to any meeting, interview, and/or hearing related to the procedures outlined in this Policy by an advisor of their choice. The advisor of choice may be, but is not required to be, an attorney. If a formal complaint is filed, advisors are invited and strongly encouraged to speak with the Title IX Coordinator for an orientation to the College's policies and procedures, privacy protections, and expectations around participation and decorum. If a formal complaint is addressed through an Informal Resolution (Section XI.F.), the parties are encouraged but not required to have an advisor. If a formal complaint is addressed through a Formal Resolution (Section XI.G.) both the complainant and the respondent must have an advisor for the purpose of conducting cross-examination at the live hearing. If either party does not have an advisor for the live hearing phase of a Formal Resolution, an advisor of the College's choosing will be assigned at no cost to the party. The advisor's participation is defined below:

Meetings with the Title IX Coordinator: Advisors may accompany the complainant or the respondent to any meeting with the Title IX Coordinator, and are encouraged to ask questions and speak openly and respectfully in those meetings. If a formal complaint is filed, advisors are invited and strongly encouraged to speak with the Title IX Coordinator (or designee) for an orientation to the College's policies and procedures, privacy protections, and expectations around participation and decorum. If an advisor also expects to serve as a witness, the advisor should disclose this information to the Title IX Coordinator as soon as possible.

Informal Resolution Process: Advisors are not required to be present during any phase of the Informal Resolution process, but parties are strongly encouraged to include them. Advisors will be permitted to ask questions and advise the party with whom they are working.

Investigation: Advisors will receive access to the investigative report that contains the report narrative and all submitted evidence produced in the investigation, unless the party they are advising indicates in writing that the advisor should not be able to access the evidence. Advisors are not required to attend the investigation interview/s but they are permitted to attend. Advisors will be permitted to ask clarifying questions, as long as they are respectful and not disruptive. Advisors may not answer questions or provide information.

Pre-Hearing Conference: Advisors are required to attend a pre-hearing conference with the Hearing Coordinator and the Hearing Officer to review the College's live hearing procedures. Advisors are encouraged to ask questions to understand their role at the hearing and the College's expectations around participation and decorum. If an advisor also expects to serve as a witness, the advisor should disclose this information to the Title IX Coordinator no later than this conference.

Live Hearing: At the live hearing, each party's advisor will be responsible for asking relevant questions to the other party or parties and any witnesses. Advisors are encouraged to focus questions on disputed issues so as to assist the Hearing Officer in determining issues of credibility. This questioning will be conducted orally, directly and in real-time in a manner that, in the Hearing Officer's sole discretion, is not inappropriate, harassing, intimidating, irrelevant, or redundant. The Hearing Officer reserves the right to remove an advisor who questions witnesses in an abusive, intimidating, harassing, or disrespectful manner. In the instance that an advisor is removed, the hearing will be suspended until a later date to permit an alternative advisor to be obtained or assigned.

Standard of Evidence

Edgewood College uses a preponderance of the evidence standard to evaluate complaints. A preponderance of the evidence means that the statements and information presented in the case must indicate to a reasonable person that it is more likely than not that the Respondent committed a violation. Both the complainant and the respondent will have an equal opportunity to present relevant witnesses and other evidence. Both parties will be afforded similar and timely access to any information that will be used to determine the outcome. Information about a person's prior sexual behavior or history will not be considered to determine whether a violation has occurred. However, information regarding a prior intimate or sexual relationship between the parties may be considered relevant depending upon the issues presented in any disciplinary proceeding.

Additional Policy Provisions

- a) Attempted violations - In most circumstances, the College will treat attempts to commit any of the violations listed in the Sexual Misconduct and Relationship Violence Policy as if those attempts had been completed.
- b) False Reports – The College will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws. However, a finding of “not responsible” does not necessary indicate that a complaint was false in nature.
- c) Amnesty for Victims and Witnesses - The College community encourages the reporting of misconduct and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report to college officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to college officials, and that witnesses come forward to share what they know. To encourage reporting, the College pursues a policy of offering victims of misconduct and witnesses amnesty from minor policy violations related to the incident.

SMOKING POLICY

Smoking, including the use of electronic delivery devices, is prohibited in all campus facilities and buildings which includes residence halls and resident rooms. “Electronic delivery device” means any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. This includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

- Smoking is prohibited within 25 feet of all buildings.
- All building entrances are to be smoke-free.
- It is unlawful to remove or destroy any “No Smoking” signs or to smoke in any “No Smoking” areas.

SOCIAL MEDIA POLICY

Purpose

Edgewood College understands the importance and value of utilizing social media outlets to foster and enhance the sense of community among College constituents. With this in mind, Edgewood College encourages faculty, staff, and students to participate in social media in an effort to create an online atmosphere that reflects the College's values.

This document outlines an institutional policy that **covers the use of social media by faculty, staff, and students, where that use represents either implicit or explicit institutional sanction.**

This policy does not cover personal use of social media.

The Policy will serve as both a resource for faculty and staff, and provide remedies for use of social media that is contrary to the policy.

Faculty, Staff, and Students of Edgewood College adhere to policies outlined in the Faculty, Staff, and Student Handbooks, and in the Acceptable Use Policy.

The policy outlined here covers additional considerations specific to social media, but at no time supersedes the Faculty, Staff, and Student Handbooks or the Acceptable Use Policy.

Legal Considerations

All content published by Edgewood College must be accurate and consistent; information distributed via social media must match the information distributed through print materials and through www.edgewood.edu.

Like all educational institutions, Edgewood College is bound by the Federal Educational Rights and Privacy Act (FERPA). Students must give their consent before we publish content about them.

Similarly, please respect the privacy of colleagues/peers and ensure that you have their approval before publishing content about them.

Use of content (video, music, photos, text) in social media is covered by local intellectual property law. Faculty, staff, and students should not use text or media (video, images, etc.) without the permission of the owner. Wherever possible, all sources should be cited. Please refer to the Edgewood College Copyright Policy.

All social media efforts on behalf of the College are covered by existing codes of conduct for students, faculty, and staff. All social media efforts on behalf of the College should support the Mission, Identity, and Vision of the College.

Getting Started

Please follow these steps when launching a new social media presence:

What already exists? The Office of Marketing & Strategic Communications audits social media accounts associated with Edgewood College. Social Media resources are available from that office.

What's going on in my area or department? Check with your immediate supervisor, department chair, Dean, or faculty advisor to let them know you're considering "joining the conversation" on behalf of both Edgewood College, and the particular unit or department.

Who is the contact? The social media outlet utilized should provide information about who maintains the presence, and how one may reach them via email or phone. There should always be at least one person responsible for maintaining the presence.

Visual Identity The outlet should adhere to the Graphic & Communication Standards established by the Office of Marketing & Strategic Communications. Social media accounts should avoid using the official Edgewood College logo as an avatar/icon/profile image to avoid confusion with the primary, institutional-level social media accounts. Accounts should also avoid alterations of the logo, use of the Dominican shield as a standalone, and other violations of the Graphic Standards. Consider using a campus photo, photo of involved students, etc.

Ongoing Expectations

Who Does the Work? We are accountable to our audiences. When launching social media initiatives, we must commit to regular updates, accuracy, and prompt responses to audiences when appropriate.

Proofreading As an institution of higher learning, we are held to the highest standard for grammar and spelling. Proofread content before publishing.

Commitment An engaging social media presence takes consistent time and energy – if done poorly, (not updated regularly, not responsive to audience) it can do more harm than good. Consider your purpose, and consider your ability to commit time to this venture before engaging.

Recommendations

Please inform the Office of Marketing & Strategic Communications about your new social media efforts. The Office will add the new presence to the audit of College sites, and can serve as a resource to support your efforts.

Responsible parties

Deans, chairs of academic departments, supervisors, and faculty advisors are responsible for the social media outlets created by and for their particular units, departments, or school.

Process for Resolving Concerns

Social media technology is evolving and no policy or procedure can address all situations and circumstances that may arise. Faculty, Staff, and Students of Edgewood College adhere to policies outlined in the Faculty, Staff, and Student Handbooks, and in the Acceptable Use Policy. Any circumstances that may arise will be followed up using the procedures identified in the above- mentioned handbooks and Acceptable Use Policy.

SOLICITATION

Campus organizations wishing to raise money through on-campus solicitation may do so with permission of the Director of Student Inclusion and Involvement. Unless directly connected to an official Edgewood College academic department, student organization, or administrative office, no outside soliciting is permitted on campus. For solicitation regulations for the residence halls, please reference the Residence Life Handbook found at www.edgewood.edu. Please report violations to the Director of Campus Security, a Student Development Staff member, or the Dean of Students Office.

VISITOR POLICY

The College retains the right to set standards of behavior for students, faculty, staff, and visitors. A visitor is anyone who is not a current Edgewood student, faculty, or staff member. These standards ensure the safety and security of all. Some areas of the campus are open to the public and some are not. The College reserves the right to further limit public access at any time. Specific hours of operation for each building vary. Questions regarding open hours for any building or area should be directed to the Edgewood College Campus Assistance Center in the Predolin Humanities Center Lobby.

The following general guidelines apply at all times:

- Space for parking on campus is limited. Visitor parking permission may be obtained at the Campus Assistance Center located in the Predolin Humanities Center upon check-in.
- All non-Edgewood College students under the age of 17 must be accompanied and supervised by an adult at all times.
- Individuals or groups who contract for use of the facilities assume responsibility for maintaining the orderly conduct of guests.
- A designated member of Edgewood College should be available on campus for assistance at all events.
- Visitors must be able to produce identification and state the purpose for their presence on campus if asked to do so by Security.
- Security or other designated College agents may ask a visitor to leave campus if certain conditions exist, including, but not limited to; violent, threatening or intrusive behavior, harassment, possession of weapons, illegal drugs or unauthorized possession of alcohol, or lack of an appropriate purpose.
- Any behavior deemed inappropriate by Security or other agent of the College may result in contacting the Madison Police Department.

Individual departments and offices may have additional guidelines specific to the type of event or the type of facility in use. The additional guidelines may be viewed at the Campus Assistance Center. Visitors are expected to comply with these guidelines.

WEAPONS POLICY

Possession of weapons, whether concealed or unconcealed per Wisconsin law, on campus and/or at College-sponsored events is prohibited. This includes illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others, including, but not limited to guns, paint ball guns, pellet guns, BB guns, Airsoft guns, arrows, nun chucks, knives with blades longer than three inches, swords, shells, shell casings, and plastic or metal pellets, metallic knives, explosives, or any other device which, in the manner it is used or intended to be used is calculated or likely to produce bodily harm.

EMERGENCY PROCEDURES

Emergency Procedures

To ensure the safety of all Edgewood College students, guests, faculty and staff, the following procedures will be used in emergency situations.

Active Shooter

1. Evacuate
 - Have an escape route and plan in mind.
 - Leave your belongings behind.
 - Keep your hands visible.
2. Hide Out
 - Hide in an area out of the active shooter's view.
 - Block entry to your hiding place and lock the doors.
3. Take action
 - As a last resort and only when your life is in imminent danger.
 - Attempt to incapacitate the active shooter.
 - Act with physical aggression and throw items at the active shooter.

Ambulance / EMS

- Call 911.
- Give the exact location of the building, room number and directions to the area.
- Notify the Security Office at 608-663-4321. They will guide emergency technicians to the scene promptly.
- If possible, stay with the person until help arrives.

Bomb Threat / Chemical Spill

- Call 911.
- Evacuate the building or area.
- Do not re-enter the building until an “all clear” is given.

Fire

- Please pull the fire alarm as you evacuate the building and call 911.
- For a fire emergency, DO NOT try to extinguish the fire.
- Persons with disabilities who are unable to evacuate the building immediately should go to the nearest safe room facing the street, shut the door, open a window and hang an article of clothing from the window. This will indicate your presence to firefighters.
- All other persons should evacuate the building to the designated meeting area.

Natural Gas fumes

- Evacuate the building or area. Do not use any electrical device, including lights, telephone or the fire alarm.
- Call 911 from a safe area.
- Do not re-enter the building or area until an “all clear” is given.

Police

- For Police or Ambulance dial 911 from campus, office, or residence hall telephone.
- After placing a 911 or other emergency call, place a follow-up call to Edgewood College’s Security Office at 608-663-4321.

Tornado

- A tornado warning will be activated for Edgewood College in any of the following situations:
 - A tornado warning for our area is announced on the weather radio;
 - A tornado is reported as sighted for our area;
 - The Dane County emergency sirens outside are activated.
 - All individuals should move to designated shelter areas (hallways, basements) MOVE AWAY FROM THE WINDOWS. Remain in those areas until a designated College official gives the “all clear.”

FILING A COMPLAINT WITH THE OFFICE OF CIVIL RIGHTS

Anyone who believes that Edgewood College has discriminated against them on the basis of race, color, national origin, sex, disability or age, may file a report with the Office of Civil Rights.

Office for Civil Rights (OCR) 233
N. Michigan Ave., Suite 240
Chicago, IL 60601
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD: (800) 537-7697
Email: ocrmail@hhs.gov