A Guide to Creating and Maintaining a Safe Learning and Work Environment at UW-Madison: Responsibilities, Resources and Reporting Requirements

All faculty and staff members at the University of Wisconsin-Madison share a responsibility to create a safe learning and work environment and a positive campus climate. This happens when we educate ourselves on our federal and state safety and discrimination obligations and protections, how to meet our reporting responsibilities, and the appropriate campus resources to address safety concerns and support those who have experienced unsafe or discriminatory actions.

This Guide provides you with useful information about how to report and respond to acts of criminal behavior including sexual assault, sexual violence, and child abuse and neglect; and non-criminal behavior including discrimination based on a protected class, sexual harassment, and consensual relationships between employees. Information and resources regarding required employee trainings, as well as other relevant campus and community resources are included.

Criminal Acts

Have you observed or received a report of an incident that might qualify as a criminal act? UW-Madison encourages all members of the Badger community who are victims of a crime of any kind to file a police report immediately with the UW-Madison Police Department or the Madison Police Department.

Additionally, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, also known as the Clery Act, requires specific crimes that occur in certain locations to be reported to the campus Clery Director and published in an Annual Security Report and Annual Fire Safety Report.

Clery crimes include General Crimes, Sex Offenses, Domestic Violence, Dating Violence, and Stalking, and Hate Crimes. They are reported when they occur in campus locations that are defined as Clery Act geographic reportable areas.

Under the Clery Act, certain staff, faculty, and student employees, including any employee who travels with students, have mandated reporting obligations. These individuals, called “Campus Security Authorities” (CSAs),...
**are required** to forward statistical reports of crimes to designated offices on campus. CSA reports are not required to include names of people involved in a crime. Clery crime reports are made through the online Campus Incident Reporting Form. If you are unsure if you are a CSA, please contact Clery Program Director Jaimee Gilford.

**Training**
All CSAs must complete annual training. Supplemental training is required if you are traveling with students.

**Resources and More Information**
More information about UW-Madison’s Clery program, including resources for and about our Campus Security Authorities (CSA), selected Clery policies; and reporting options, rights, and resource information for victims of sexual assault, domestic violence, dating violence, and stalking is available on the UWPD website.

Contact Clery Director Jaimee Gilford at (608) 286-9871 or (608) 250-9638 jaimee.gilford@wisc.edu

Did the criminal act involve a suspected sexual assault?
All UW-Madison employees who receive a first-hand report of a sexual assault from an enrolled UW-Madison student must report the assault to the Dean of Students.

Sexual assaults are reported through the Campus Incident Reporting Form. If unable to complete the electronic form, reporters should contact Lauren Hasselbacher, the Title IX Coordinator at titleIX_coordinator@wisc.edu or lauren.hasselbacher@wisc.edu or (608) 890-3788 or contact the UW-Madison Dean of Students office in the Division of Student Life.

**Resources and More Information**
- Reporting Allegations of Sexual Assault
- University Health Services resources for individuals who have concerns about sexual assault, dating or domestic violence, and stalking.
- UHS Victim Services
- Information for Faculty, Staff, and TAs: Sexual Assault, Dating Violence, and Stalking – a resource guide outlining steps to take if an individual discloses his or her experience to you.
- Emotional, medical, legal, and campus support for victims/complainants

**RESPONDING TO CRIMES INCLUDING SEXUAL ASSAULT**

All UW-Madison employees who receive a report of a sexual assault by an enrolled student are required to notify the Dean of Students Office per Chapter 36.11 (22), Wisconsin Statues.

Your first concern when receiving a report of sexual harassment or sexual violence is supporting the individual sharing their experience.

You are not expected to and should NOT investigate or ask detailed questions about the incident to complete the Campus Incident Reporting Form. Simply provide whatever information was given to you.

Information contained in the reporting form does NOT lead to a police investigation.
Did the sexual assault involve a minor child?
All University of Wisconsin System employees are considered mandated reporters under the Governor’s Executive Order 54 and required to report child abuse or neglect immediately if the employee, in the course of their employment:

- observes an incident or threat of child abuse or neglect, or
- learns of an incident or threat of child abuse or neglect, and
- the employee has reasonable cause to believe that child abuse or neglect has occurred or will occur.

Volunteers and contractors who are expected to have regular contact with children while performing services for UW-Madison must also comply with the same reporting procedures as UW-Madison employees.

Reports must be made to the UW-Madison Police Department (608) 264-2677, other local law enforcement, or the local child protective services agency. In addition, if the incident or threat of child abuse or neglect involves an allegation against a UW-Madison employee or agent (e.g. student, volunteer, etc.), or the incident or threat of child abuse or neglect occurred on the UW campus or during a UW-Madison sponsored activity, the reporter must immediately report the matter internally to the university after reporting to law enforcement or child protective services.

During business hours, an internal report should be made to the Office for Equity and Diversity, (608) 263-2378. Outside of normal business hours, the internal report should be made to the UW-Madison Police Department (608) 264-2677.

Training
An online training for mandatory reporters under EO54 provides focused education about how to recognize the signs of child abuse and neglect and the duty to report. As all employees are mandatory reporters, you are encouraged to complete the training to understand your reporting obligations under EO54.

For additional training regarding these obligations, contact Kathryn (Kate) O’Connor in the Office for Equity and Diversity at (608) 263-2378, WTRS: 711.

Resources and More Information
- Mandatory Child Abuse Reporting Guidelines for UW-Madison Employees
- The University of Wisconsin-Madison Policy on Mandatory Reporting of Child Abuse and Neglect
• **Child Abuse and Neglect Resources** (including brochures in English, Chinese, Hmong, Spanish and Tibetan)
• Emergency Phone Number: 911
• University of Wisconsin–Madison Police Department: (608) 264-COPS or (608) 264-2677
• Dane County Child Protective Services: (608) 261-KIDS or (608) 261-5437
• Madison Police Department: (608) 266-4275
• Wisconsin Telecommunications Relay System (WTRS): Dial 711 from any phone in Wisconsin, or the appropriate WTRS toll-free number.

**Acts of Discrimination**

Discrimination, including sexual harassment and sexual violence, degrades the quality of work and education at UW-Madison. These behaviors violate the law and university policy, damage personal and professional relationships, cause career or economic disadvantage, as well as expose the university to legal liabilities, a loss of federal research funds and other financial consequences. Each of us has a duty not to discriminate, harass, or commit acts of violence against others, and to act responsibly when we observe or become aware of these behaviors.

UW-Madison is committed to providing equal opportunity and equal access to all its members, and to complying with all applicable federal and state laws and regulations and University of Wisconsin System and university non-discrimination policies and procedures. This includes, but is not limited to:

• Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin;
• Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination on the basis of race, color, religion, sex, or national origin,” and s. 36.12, Wisconsin Statutes, which states that, “no student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course or facility of the system or its institutions because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status;
• Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex;
• Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability; and
• Age Discrimination Act of 1975, which prohibits discrimination on the basis of age.
RETALIATION
No student, employee, or person taking part in university programs or activities shall be retaliated against for opposing discrimination, making a complaint of discrimination, or taking part in an investigation relating to an allegation of discrimination.

DISCRIMINATION COMPLAINT PROCESSES
Employees may seek to address concerns regarding discriminatory behavior through one or more approaches. Depending on the nature of the concern, local resources include your supervisor or your unit Human Resource representative. Campus resources include the Office for Equity and Diversity, the Ombuds Office, or the Employee Assistance Office.

Students alleging discriminatory actions by another student work with the Dean of Students Office to resolve those concerns.

Information regarding how to file a formal complaint alleging discrimination can be found by emailing the Office of Compliance, or the Title IX Coordinator for complaints specific to sex discrimination.

Title IX Compliance
Title IX of the Education Amendments of 1972 prohibit sex discrimination, including acts of sexual harassment and sexual violence, in any educational program or activity receiving federal financial assistance. As such, UW-Madison must comply with Title IX regulations and take immediate and effective steps to respond once it is made aware of the harassment or violence.

When learning of a Title IX violation, UW-Madison must:

- stop the behavior;
- prevent it from recurring; and
- remediate the impact on the survivor/victim.

Confidential Resources
Individuals who experience acts of sexual harassment or sexual violence can avail themselves of one of several confidential resources on campus. Confidential campus resources include University Health Services, Employee Assistance Office, Ombuds Office, and the McBurney Disability Resource Center (students). These offices offer an array of support services. As a confidential resource, these offices will only report statistical information (no personally identifying information) about such a report to the Title IX Coordinator.
Reporting Options and Obligations

Individuals who experience acts of sexual harassment or sexual violence can also choose to make a report to a designated reporting office. These offices include the Office of Human Resources, Office of Workforce Relations, Office for Equity and Diversity, or the Title IX Coordinator. Additionally, reports can be made to any of the Deputy Title IX Coordinators on campus.

Responsible Employees

Title IX requires the designation of certain university employees as “Responsible Employees” (RE) with specific Title IX reporting obligations. As of September 2017, UW-Madison’s policy on Sexual Harassment and Sexual Violence, which will identify employees with a RE designation, is under review. RE’s will be notified of their reporting obligations and provided appropriate training when the policy is adopted.

Title IX Responsible Employees have a duty to report to the Title IX Coordinator any information they receive that suggests a violation of this policy has occurred or is occurring. They are not allowed to keep information reported to them suggesting such a violation has occurred or is occurring confidential. These employees are required to:

1. Be familiar with the definitions of sexual harassment and sexual violence;
2. Be familiar with this and other related policies;
3. Be familiar with confidential and other resources on campus and in the community to which to refer a reporting individual;
4. Be familiar with the duty to report information they receive about potential acts of sexual harassment or sexual violence to the Title IX Coordinator and be prepared to explain this duty to anyone who is considering reporting such information to them.

Training

As of July 2017, all UW-Madison employees who receive a paycheck from the university are required to complete the “Preventing Sexual Harassment and Sexual Violence” training. New employees will be registered in the training as part of their on-boarding. Employee training is required every three (3) years. Completing this training meets our compliance obligations under Board of Regents Policy 14-2.

Student employees are not required to take the “Preventing Sexual Harassment and Sexual Violence” training. Undergraduate and graduate students have their own required training on this topic.

Resources and More information

1. Title IX contact information and resources
2. Report allegations of sexual assault, dating/domestic violence and stalking to:
   - Dean of Students Office
   - University Health Services and UHS Victim Services
   - Office for Equity and Diversity (OED)
   - Title IX Coordinator

3. Sexual Harassment: Defining and Addressing a Community Concern, is available electronically and in hard copy format from the Title IX Coordinator, OED, and the Office of the Provost.


5. UW-Madison Police Department

Have you entered into a consensual romantic relationship with a UW-Madison staff member or a student?
The university presumes that the ability to make objective decisions is compromised when a consensual romantic and/or sexual relationship exists between two individuals who have a reporting or evaluative relationship. There is almost always a power differential between such individuals that not only obscures objectivity and creates a conflict of interest but influences perceptions of consent.

**Reporting**
The individual with the power or status advantage is required by university policy to report the relationship to his or her supervisor and is accountable for failing to make this report. The supervisor has the responsibility to make appropriate arrangements to eliminate or mitigate a conflict whose consequences might prove detrimental to the university or to either party in the relationship. Supervisors can consult with various campus resources for assistance in meeting this responsibility.

**Training**
Training on consensual relationships is included in the “Preventing Sexual Harassment and Sexual Violence” training required of all employees. Requests for additional, in-person presentations may be directed to the Office for Equity and Diversity or the Office of Compliance.

**Resources**
University of Wisconsin-Madison Faculty Legislation, II-307 Statement on Policy on Consensual Relationships

University of Wisconsin System Board of Regents Policy 14-8 on Consensual Relationships