MEMORANDUM

November 4, 2013

TO: All University Employees

FROM: Paul M. Deluca, Jr., Provost and Vice Chancellor for Academic Affairs

RE: Safe Learning & Work Environments - Reporting Requirements and Resources


II. Mandatory Sexual Assault Reporting

III. Sexual Harassment and Consensual Relationships Information

IV. Title IX Compliance Responsibilities

V. Wisconsin Executive Order #54

All faculty and staff members at the University of Wisconsin-Madison, share the responsibility to create safe learning and work environments and a positive campus climate. This memorandum addresses Federal and state laws and a Wisconsin Executive order that establish reporting responsibilities for all faculty and staff. I urge you to become familiar with the responsibilities and resources described below so you may respond appropriately when you are approached by someone regarding matters covered in this memo.

Detailed information about reporting obligations, on-line resources, and contact information for university officials is available by clicking on the title of each section.


The Jeanne Clery Act requires colleges and universities to disclose information about crime on and around their campuses. The law is tied to an institution's participation in federal student financial aid programs and is enforced by the U.S. Department of Education.

Under the Clery Act, Universities must: 1.) Publish an Annual Security Report by October 1 of each year; 2.) Maintain a public crime log documenting the "nature, date, time, and general location of each crime" and its disposition, if known; 3.) Disclose crime statistics in seven major categories for incidents that occur in the geographic reportable areas specified in the U.S. Department of Education, Office of Postsecondary Education, “Handbook for Campus Safety and Security Reporting,” Chapter 2, pp. 11 – 32; 4.) Issue timely warnings about Clery Act crimes which pose a serious or ongoing threat to students and employees; 5.) Devise an emergency response, notification and testing policy; 6.) Compile and report fire data to the federal government and publish an annual fire safety report; and 7.) Enact policies and procedures to handle reports of missing students.
Universities must designate Campus Security Authorities, a Clery-specific term. Under the Clery Act, a crime is reported when it is brought to the attention of a Campus Security Authority or local law enforcement personnel by a victim, witness, other third party or the offender. Campus Security Authorities report to the official designated by UW-Madison to collect crime report information.

**Reporting**

University of Wisconsin-Madison Police Department, (UWPD). Dial 9-1-1 or the non-emergency number, (608) 264-2677 (4-COPS) for reporting crimes that occur on campus. You may also visit their offices located at 1429 Monroe Street, Madison, Wisconsin 53711. City of Madison Police Department. Contact the department via their non-emergency number, (608) 266-4316 to report crimes that occur off campus. You may also visit their offices at 211 South Carroll Street, Madison, Wisconsin 53709.

The following are the UW-Madison offices where campus community members should report crimes:

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<thead>
<tr>
<th>Official</th>
<th>Address</th>
<th>Phone Number</th>
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</thead>
<tbody>
<tr>
<td>UW-Madison Police Department</td>
<td>1429 Monroe Street</td>
<td>608-264-2677</td>
</tr>
<tr>
<td>Dean of Students Office</td>
<td>70 Bascom Hall</td>
<td>608-263-5700</td>
</tr>
<tr>
<td>Office of Human Resources</td>
<td>21 N. Park Street, Suite 5101</td>
<td>608-265-2257</td>
</tr>
<tr>
<td>Office for Equity and Diversity</td>
<td>179-A Bascom Hall, WTRS: 7-1-1</td>
<td>608-263-2378</td>
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<tr>
<td>Office of Legal Affairs</td>
<td>361 Bascom Hall</td>
<td>608-263-7400</td>
</tr>
<tr>
<td>Division of University Housing, including all Housefellows, RLCs, ACs</td>
<td>Slichter Hall, 625 Babcock Drive</td>
<td>608-262-2522</td>
</tr>
<tr>
<td>Recreational Sports</td>
<td>715 Dayton Street</td>
<td>608-262-8244</td>
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**Resources**

A complete listing is available in the [Annual Security and Fire Safety Report](#).

**II. Mandatory Sexual Assault Reporting**

Wisconsin law, Chapter 36.11(22), Wisconsin Statutes, requires that UW-Madison report annually to UW System Administration the number of reported sexual assaults that occurred in the Clery Act geographic reportable areas specified in the U.S. Department of Education, Office of Postsecondary Education, “Handbook for Campus Safety and Security Reporting”.

Under Wisconsin law, "Any person employed at an institution who witnesses a sexual assault on campus or receives a report from a student enrolled in the institution that the student has been sexually assaulted shall report to the dean of students of the institution. The dean of students shall compile reports for the purpose of disseminating statistical information under par. (a)1.b."

For UW-Madison to comply with this state law, we need the cooperation of all university employees. We rely on reports from employees, students and other
members of the university community to support victims and meet our legal obligations.

The UW-Madison Dean of Students Office takes sexual assaults reports seriously and will investigate. Information may also be reported in the Annual Security and Fire Safety Report.

Sexual Assault definitions under by WI § 940.225.

Reporting

Faculty and staff who witness a sexual assault in the Clery Act geographic reportable areas or who receive a first-hand report of sexual assault, are required to report the sexual assault.

You may file a report electronically here.

If you are unable to report electronically, you may contact the Office for Equity & Diversity, which has been designated to receive employee reports. This notification is not the same as filing a criminal report. Disclosing the victim’s name is not required as part of this report.

Students who experience, witness, or receive a first-hand report of sexual assault are strongly encouraged to contact the Dean of Students office in the Division of Student Life, which has been designated to receive reports from students and will assist them in any way possible.

Resources

1. Division of Student Life, Principles in Responding to Sexual Assault.

2. University Health Services offers helpful resources for individuals who have concerns about sexual assault, dating or domestic violence, and stalking.

3. University Health Services, EVOC/End Violence on Campus and partners have published a resource guide, “Information for Faculty, Staff, and TAs: Sexual Assault, Dating Violence, and Stalking” outlining steps to take if an individual discloses his or her experience to you.

   a. Dating/Domestic Violence refers to an on-going pattern of controlling and abusive behaviors that individuals use against intimate partners. These behaviors include physical, sexual or emotional attacks and/or economic control. Dating/Domestic Violence reports may be filed electronically here.

   b. Stalking is repeated harassment that causes the victim fear. Examples of this type of harassment include approaching the victim, sending the victim unwanted items or repeatedly contacting the victim through e-mail or texts. Stalking reports may be filed electronically here.

4. UW-Madison reports and information about crime prevention, emergency procedures, and safety resources are posted on the Campus Safety website.
5. Emotional, medical, legal, and campus support for victims/complainants is available online here.

III. Sexual Harassment and Consensual Relationships Information

When sexual harassment occurs, it degrades the quality of work and education at the University of Wisconsin-Madison. Sexual harassment violates the law and university policy and can damage personal and professional relationships, cause career or economic disadvantage, and expose the university to legal liabilities, a loss of federal research funds and other financial consequences. Each of us has a duty not to harass others and to act responsibly when confronted by the issue of sexual harassment. We have a collective responsibility to do so, thereby promoting an environment that better supports excellence in teaching, research, and service. Principal investigators, supervisors, managers, department chairs, directors and deans have additional responsibilities: individuals in positions of authority must take reasonable measures to prevent sexual harassment and take immediate and appropriate action when they learn of allegations of sexual harassment.

Reporting

The University of Wisconsin-Madison will take prompt and appropriate action whenever it learns that sexual harassment has occurred. I encourage you to report incidents or concerns to your supervisor, manager, department chair, director, or dean for action and resolution. Sexual harassment (and other prohibited harassment or discrimination) may also be reported to the Office for Equity & Diversity, or to campus administrative offices identified in our Sexual Harassment Information & Resources website. You may contact any resource for information and assistance.

Informational sessions regarding sexual harassment and the consensual relationships policy are available to any campus unit, upon request. Faculty and staff with Limited Appointment titles are required to attend an informational session. If you wish to schedule a sexual harassment information session for your unit, please contact Kathryn (Kate) O’Connor, Office for Equity and Diversity, 263-2378. Additional questions about this campus-wide initiative may be directed to Luis A. Piñero at 263-2378, Wisconsin Telecommunications Relay Service, 7-1-1.

Resources

The Sexual Harassment Information & Resources website includes a definition of sexual harassment, information concerning what to do about it, policies and resources. Read more here.

A brochure entitled, “Sexual Harassment: Defining and Addressing a Community Concern,” is available in hard copy format from the Office of Equity and Diversity and the Office of the Provost and also electronically here.

The UW-Madison Policy Statement on Consensual Relationships is available online.

IV. Title IX Compliance Responsibilities

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., prohibits discrimination on the basis of sex in any educational program or activity receiving Federal financial assistance. Title IX requirements cover sex discrimination, sexual
harassment, sexual misconduct and sexual violence. In accordance with these requirements, UW-Madison is responsible for taking immediate and effective steps to respond to sexual misconduct and violence. Sexual violence may include physical sexual acts performed against a person’s will or where a person is incapable of giving consent. A number of acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion.

**Reporting**

The University provides a variety of resources concerning sex discrimination and sexual harassment. Inquiries about sex discrimination, including sexual harassment, or about how to file a complaint of discrimination on these bases, should be directed to the appropriate University resource including the campus Title IX Coordinator, the Special Assistant to the Provost/Complaint Investigator or to the Division of Student Life.

A complaint procedure for individuals who believe they have been discriminated against on the bases covered by UW-Madison, including sex discrimination and sexual harassment is available online. Faculty, staff, and visitors to campus who wish to file a complaint or have questions about the complaint procedures may contact Luis A. Piñero, campus Title IX Coordinator, or Stephen Appell, Special Assistant to the Provost/Complaint Investigator at 263-2378. Students may also contact Lori M. Berquam, Vice Provost for Student Life and Dean of Students, Room 70 Bascom Hall, 500 Lincoln Drive, Madison, Wisconsin 53706 Phone: (608) 263-5700. Email: dean@studentlife.wisc.edu in the Division of Student Life.

**Resources**

Title IX information and resources, including contact information for University Officials is available here.

**V. Wisconsin Executive Order #54**

Executive Order #54 (EO 54) requires all University of Wisconsin System employees to report suspected incidents or threats of child abuse or neglect and has the force of law. Volunteers and contractors who are expected to have regular contact with children while performing services for UW must comply with the same reporting procedures as UW employees.

**Reporting**

A report of child abuse or neglect must be made immediately if, in the course of employment, the employee 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. The report must be made to the UW-Madison Police Department (608) 264-2677, other local law enforcement, or the local child protective services agency (see contact information under Resources, below).

Privacy statutes affect the ability to report to law enforcement or child protective services in some limited circumstances. If a UW employee learns of possible child abuse or neglect from the educational records of a matriculated student, the Family
Educational Rights and Privacy Act (FERPA) applies. FERPA does permit reporting if a child is presently in danger. If a UW employee learns about possible child abuse or neglect from a medical record or in the context of a patient’s receipt of health care services, the Health Insurance Portability and Accountability Act (HIPAA) and Wisconsin medical records laws must be followed. If you have questions, please contact the Office of Legal Affairs at, 263-7400.

In addition to the external report to law enforcement or child protective services, if the incident or threat of child abuse or neglect involves an allegation against a UW 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 also immediately report the matter internally to the University. During business hours, an internal report should be made to the Office for Equity and Diversity, 263-2378. Outside of normal business hours, the internal report should be made to the UW-Madison Police Department, 264-2677.

A UW employee who is a mandatory reporter by profession under Wis. Stat. § 48.981(2) (e.g., health practitioner, social worker, law enforcement officer, child care provider) must continue to comply with the state mandatory reporter laws.

**Resources**

A brochure for UW-Madison employees, outlining reporting obligations, listing contact information, and describing what abuse or neglect must be reported, is available online.

A complete description of child abuse reporting guidelines is available online.

An online training for mandatory reporters has been created to provide focused education about their duty to report and recognizing the signs of child abuse and neglect. A link to this online training can be found here.

Additional training regarding these obligations can be requested by contacting Kathryn (Kate) O’Connor in the Office of Equity and Diversity at (608) 263-2378, WTRS: 7-1-1.

**Emergency Phone Number:** 911

**Non-Emergency Phone Numbers**

- University of Wisconsin–Madison Police Dept.: (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): To connect to WTRS, dial 7-1-1 from any phone in Wisconsin, or the appropriate WTRS toll-free number found here.