Procedure

UW Parkside

**Volunteers**

**The following procedures are guidelines to hiring Volunteers. Any exceptions to the process should be discussed with Human Resources prior to implementation.**

Volunteers complement the skill and expertise of employees, assist schools in providing enriching additional learning experiences and extracurricular programs, and strengthens lines of communication among the university, home and community.

Involvement of volunteers is encouraged in activities for which the volunteer is qualified, which benefit the university, and which do not interfere with employees performing their regular duties or result in the displacement of an employee. The delivery of an effective volunteer program requires a harmonious relationship between university staff and volunteers.

With relationships of more than 100 local agencies and organizations, our volunteer program will help you find an activity that fits both your interests and your schedule.   We have two categories of volunteer experiences.  One is for one-time, special events like a fundraiser or sporting event.  The other is for regular or ongoing volunteer experiences.

It is our goal to provide a safe, secure, and caring environment. Therefore, appropriate safeguards respecting the selection, role, and supervision of volunteers must support the use of volunteers.

**Definition**

A volunteer is an individual who accepts a commitment to assist the university without expectation of compensation. Who is a Volunteer? A volunteer is a person willing to take time to share wisdom and experience with those on the threshold of the future. A volunteer helps to expand and enrich the students' learning experiences by working under the direction of professors or university staff. A university volunteer usually meets all of the following criteria:

The individual will provide a service to the university.

1. The individual will NOT be compensated by UW Parkside.
2. The individual will be providing volunteer service for more than one day at any one site (except for chaperones).
3. The individual may have access to students while performing the service.

**The Role of Volunteers**

* Volunteers should function in a supportive role which is compatible with the philosophy of the University and should not undertake tasks that require making programmatic or educational decisions.
* Volunteers must not be used to provide services that would result in the displacement of any employee.
* Volunteers must not be assigned tasks, which would violate the privacy of students or their families, or be permitted access to student records.

**Screening, Selection, and Management of Volunteers**

* Volunteers are selected on the basis of an ability to deal with students, skills in performing needed services, previous related experience, interest in the work, and personal character.
* In order to reinforce a sense of community, volunteers are encouraged from within the community at large, and efforts should be made to involve a wide representation of the community.
* The volunteer supervisor must ensure that the screening of potential volunteers includes a UW-Parkside Volunteer Screening Fact Sheet. The need for an interview to determine the appropriateness of the volunteer candidate will depend on the nature of the activity and the extent of supervision undertaken by the potential volunteer.
* As part of the screening process every volunteer will be required to submit to successfully pass a Criminal Background Check (CBC).
* It must be recognized that some applicants will not be suitable for volunteer work in a school setting. All information collected in the screening process should be officially documented and treated as confidential.
* A volunteer’s services may be terminated at the discretion of the Administrator.

**Process**

Once a Volunteer has been identified by a department, the department will notify Human Resources to get the process started.

Steps for registering volunteers:

1. The volunteer will complete a Volunteer Data Form [Person of Interest/Volunteer Form](https://uwp.bplogix.net/form.aspx?pid=946ca522-e191-479d-a0c8-c67f807880ee&formid=d4ebe4b9-04d9-449b-b947-e1432675e322&forminstid=&tlid=&wfinstid=&prinstid=&linkwfid=&linkprid=&testmode=&nottask=&CTConfigure=&CTRun=&CTContainerFORMID=&CTContainerWFID=&CTContainerRULEID=&CTContainerPRID=&parsecontrols=&completepage=&completepageprompt=&completetext=&findtask=&INFOMSG=&caseinstid).
2. Once the volunteer completes the Person of Interest/Volunteer Form, the volunteer will receive an email from HireRight with instructions to follow for the Criminal Background Check (CBC). Please note: The volunteer may not begin until the CBC clears.
3. Once the CBC clears, HR will email the department head a template of the Volunteer letter.
4. The letter will include the following:
   1. Period of the contract
   2. Department they will be supporting
   3. List of duties they will responsible for
   4. Who they will be reporting to
5. Once the letter is completed, the volunteer supervisor will forward it to HR and to Risk Management and Safety for review and approval.
6. Once approved, the volunteer supervisor will email the letter to the volunteer.
7. The volunteer will sign the agreement, compliance acknowledgement and confidentiality statement.
8. The agreement, compliance acknowledgement and confidentiality statement are forwarded to Human Resources via email at [hr@uwp.edu](mailto:hr@uwp.edu) and filed.
9. The HR Assistant/Recruiter will setup SOLAR. If the HR Assistant/Recruiter is not available, Staffing and Recruitment Coordinator will be the backup.

**Confidentiality**

Volunteers must maintain strict confidentiality concerning information they learn about students or faculty. Keep information about students between yourself and the supervisor. A misplaced comment can be devastating to a student, the family, and the volunteer program. If you have questions or concerns, talk with the volunteer supervisor or Volunteer Coordinator.

**Conduct of Volunteers**

* Volunteers shall not be under the influence of or in possession of illicit drugs or alcohol, shall maintain confidentiality of students and of school matters, and shall comply will all relevant and applicable legislation and university policies.
* Complaints about volunteers should be handled by the immediate Supervisor or designee responsible for volunteers.

**Volunteer letter and fact sheet**

The letter must include the terms of the volunteer agreement (i.e. begin date, end date and if any, time commitment, responsibilities, who to contact with questions and the insurance paragraph.

NOTE: The Volunteer Fact Sheet must be attached to the letter. Please use your departmental letterhead.

**Sample Volunteer Letter**

**(ALL, except Minors)**

<DATE>

<VOLUNTEER NAME>

<ADDRESS>

<CITY, STATE, ZIP >

Dear <VOLUNTEER NAME>

Thank you for your willingness to volunteer your services to UW-Parkside and specifically this department. We look forward to you helping us.

You will begin <DATE> and continue for as long as we mutually wish to maintain the relationship <SPECIFIC END DATE ALSO POSSIBLE>*.* During this period either you or the University may cancel this agreement.

Based on our previous discussions, your activities as a volunteer will be <BRIEFLY DESCRIBE DUTIES / RESPONSIBILITIES>under the supervision of <NAME, TITLE AND PHONE OF SUPERVISOR>.

Please read carefully the attached “Volunteer Fact Sheet.” Your volunteer status provides you with certain protections from liability if a claim for damages due to negligence results from the performance of your duties as described above. As a volunteer, you are not considered an employee of the University and you are not eligible for any compensation or other benefits, including any Worker’s Compensation coverage.

To indicate your acceptance of the terms of your volunteer service, please sign and return one of the enclosed copies of this letter to me using the enclosed and addressed return envelope; you should retain the remaining original as your record.

If you have any questions about your volunteer service to our department, please do not hesitate to let me know. Again, thank you for your willingness to donate your time, energy and expertise.

Sincerely,

### <*NAME*>

<TITLE>

**STATEMENT OF ACCEPTANCE: I HAVE REVIEWED, UNDERSTAND, AND ACCEPT THE TERMS AND CONDITIONS RELATED TO MY SERVICE AS A VOLUNTEER, AS DESCRIBED WITHIN THIS LETTER.**

Print Name

Signature

Date

cc: <VOLUNTEER SUPERVISOR>

<DEAN OR DIVISION HEAD>

<HUMAN RESOURCE DEPARTMENT>

<RISK MGMT & SAFETY>

Attachments: Volunteer Fact Sheet

Compliance Acknowledgement

Confidentiality Statement

**Sample Volunteer Letter**

**(ONLY MINORS)**

<DATE>

<VOLUNTEER NAME>

<ADDRESS>

<CITY, STATE, ZIP >

Dear <VOLUNTEER NAME>

Thank you for your willingness to volunteer your services to UW-Parkside and specifically this department. We look forward to you helping us.

You will begin <DATE> and continue for as long as we mutually wish to maintain the relationship <SPECIFIC END DATE ALSO POSSIBLE>*.* During this period either you or the University may cancel this agreement.

Based on our previous discussions, your activities as a volunteer will be <BRIEFLY DESCRIBE DUTIES / RESPONSIBILITIES>under the supervision of <NAME, TITLE AND PHONE OF SUPERVISOR>.

Please read carefully the attached “Volunteer Fact Sheet.” Your volunteer status provides you with certain protections from liability if a claim for damages due to negligence results from the performance of your duties as described above. As a volunteer, you are not considered an employee of the University and you are not eligible for any compensation or other benefits, including any Worker’s Compensation coverage.

All volunteers are expected to prioritize the safety of children. UW-Parkside policy requires any volunteer to report child abuse or neglect if, in the course of volunteering at UW-Parkside, you observe an incident or threat of child abuse or learn of an incident or threat of child abuse or neglect and have reasonable cause to believe that child abuse or neglect has or will occur. Report incidents or threats to the UW-Parkside Police (262.595.2911).

To indicate your acceptance of the terms of your volunteer service, please sign and return one of the enclosed copies of this letter to me using the enclosed and addressed return envelope; you should retain the remaining original as your record.

If you have any questions about your volunteer service to our department, please do not hesitate to let me know. Again, thank you for your willingness to donate your time, energy and expertise.

Sincerely,

### <*NAME*>

<TITLE>

**STATEMENT OF ACCEPTANCE: I HAVE REVIEWED, UNDERSTAND, AND ACCEPT THE TERMS AND CONDITIONS RELATED TO MY SERVICE AS A VOLUNTEER, AS DESCRIBED WITHIN THIS LETTER.**

Print Name

Signature

Date

cc: <VOLUNTEER SUPERVISOR>

<DEAN OR DIVISION HEAD>

<HUMAN RESOURCE DEPARTMENT>

<RISK MGMT & SAFETY>

Attachments: Volunteer Fact Sheet

Compliance Acknowledgement

Confidentiality Statement

**Volunteer Fact Sheet**

**General Information for Departments:** A department should not rely on volunteers to perform duties that are typically performed by permanent employees – other than on a short-term basis. Volunteers should be supplementing the work done by employees, not replacing the need for paid staff.

**Letter to the Volunteer:** To avoid any confusion about the terms of the relationship, the department should send a letter to the volunteer spelling out the begin date, end date (if any), time commitment, responsibilities, and whom to contact with questions and information about insurance coverage.

**Insurance and Liability Issues**: Liability protection is provided to all officers, employees and agents of the University under Wisconsin Statute, Section 895.46(1). Volunteers acting under the direction and control of the University and for its benefit are considered agents of the University and thus covered. This statute authorizes the State to pay claims based on the negligent acts of employees or agents or to defend employees or agents against allegations of negligence, which may have caused injury or property damage to others provided the employee or agent was acting within the scope of his/her responsibilities to the University. It is important that volunteers acknowledge mistakes that could lead to potential liability claims and that such incidents are reported promptly by the department to the UW-Parkside Safety-Risk Management Office (262.595.2262).

**Protection of Minors / Compliance with Executive Order #54:** All volunteers are expected to prioritize the safety of children. UW-Parkside policy requires any volunteer to report child abuse or neglect if, in the course of volunteering at UW-Parkside, you observe an incident or threat of child abuse or learn of an incident or threat of child abuse or neglect and have reasonable cause to believe that child abuse or neglect has or will occur. Report incidents or threats to the UW-Parkside Police (262.595.2911).

**Vehicle Use**: Volunteers using university or personal vehicles for university activities must have a valid vehicle use form (a.k.a. driver authorization form) on file with the Safety-Risk Management Office and must review our vehicle use information available at:

<https://www.uwp.edu/explore/offices/safety/vehprog.cfm>.

**Work Related Injuries**: Volunteers are not considered an employee of the University and therefore are not eligible for any compensation or other benefits, including any Worker’s Compensation coverage. If injured during the course of volunteer work, the volunteer would have the same legal rights as any visitor to the campus to seek compensation if the injury resulted from University negligence.

v. 8/11/2017

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Policy 36

**Administrative Policy 36:   
Sexual Violence and Sexual Harassment Policy**

Issued: August 5, 2008  
Revised: March 2, 2017

**Institution Approval:**Dr. Tammy McGuckin   
Vice Provost for Student Affairs & Enrollment Services

Dr. Deborah Ford   
Chancellor

**Reference:**Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.; 34 C.F.R. Part 106);

[UW System Regent Policy 14-2:  Sexual Violence and Sexual Harassment;](https://www.uwp.edu/explore/offices/governance/upload/UW-System-Regent-Policy-Document-14-2.docx)

[UW System Regent Policy 14-8:  Consensual Relationships;](https://www.uwp.edu/explore/offices/governance/upload/UW-System-Regent-Policy-Document-14-8.docx)

Additional UWS Policies as referenced in text below.

**Reviewers: Maintained By:**  
Title IX Committee Title IX Committee

**36.1 Policy Statement**

The University of Wisconsin-Parkside is dedicated to providing a teaching, learning and working environment in which faculty, staff, and students can discover, examine critically, preserve, and transmit the knowledge, wisdom, and values that will improve quality of life for all.  To promote these institutional values, UW-Parkside is committed to creating and maintaining a community environment that is free from sexual violence and sexual harassment.

**36.2 Purpose and Scope of Policy**

This policy prohibits acts of sexual violence and sexual harassment on university property, at university-sanctioned or university-affiliated events, and where off-campus conduct affects a member of the university community. This policy applies to all university students and employees.

The university is committed to educating its community and to promptly and effectively respond to and redress conduct that violates this policy.  This policy provides the UW-Parkside community with information and resources to identify, report, and respond to sexual violence and sexual harassment including sexual assault, stalking, and dating and domestic violence.  These efforts support the overall missions of UW-Parkside and the UW System.

**36.3 Title IX Statement**

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.

**36.4 Definitions**

([See Appendix A](https://www.uwp.edu/explore/offices/governance/policy36.cfm#appenda)).

**36.5 Role and Duties of University Officials and Employees**

**A.  Title IX Coordinator**

The duties of the UW-Parkside Title IX Coordinator are described in the institutional position description.  Those duties include: receiving reports of sexual violence and sexual harassment; maintaining appropriate records; providing or supporting the provision of appropriate education and training; maintaining ongoing communication with any Deputy Title IX Coordinators and the Title IX Committee; investigating allegations of sexual violence and sexual harassment, as appropriate;

ensuring that applicable policies, resources, and other information is up-to-date and properly disseminated.  The duties of the Title IX Coordinator will be guided by principles of trauma-informed care.

**B.  Title IX Committee**

The Title IX Committee at UW-Parkside meets on a quarterly basis to discuss policy implementation and revision; to assess the effectiveness of trainings and educational programming; to address campus climate issues; and to provide guidance to the Title IX Coordinator. The following are offices represented on this committee: Dean of Students Office, Office of Diversity & Inclusion, University Police, Student Health, Counseling & Disability Services, Housing & Residence Life, Athletics, and Human Resources.

**C.  Responsible Employees**

UW-Parkside has designated individuals with the following titles as "responsible employees" under this policy:

Administrators

* Chancellor and Vice Chancellors
* Vice Provosts
* Deans

Title IX Coordinator / Dean of Students

* Title IX Coordinator and Deputy Title IX Coordinators
* Dean of Students and Assistant Dean of Students

Human Resources

* Director of Human Resources
* Human Resources Representatives

Housing and Residence Life

* Director of Housing & Residence Life and Assistant Director of Housing & Residence Life
* Residence Hall Managers

Athletics

* Athletic Director and Associate Athletic Director
* Athletic Coaches
* Athletic Training Staff

University Police

* Police Department Staff

These individuals should be properly trained to do the following:

1. Be familiar with definitions of sexual violence and sexual harassment.
2. Be familiar with this and other related policies.
3. Be prepared to respond should an individual report an incident of sexual violence or sexual harassment.
4. Be familiar with resources on campus to which to refer a reporting individual.

**D.  All Employees**

In accordance with § 36.11(22), Wis. Stats., employees who witness an act of sexual assault, or who receive a first-hand report of sexual assault from an enrolled student, must report that information to the Office of the Dean of Students.  Confidential employees, described below, are only required to report the occurrence of the sexual assault.

All employees must comply with [Executive Order 54](https://www.uwp.edu/explore/offices/governance/upload/Executive-order-54.docx) which requires that university employees report incidents of child abuse and neglect which they observe or witness in the course of their employment.  Such reports must be personally and immediately made to law enforcement or the county department of social services or human services.

**36.6 Reporting an Incident of Sexual Violence or Sexual Harassment**

**A.  Reporting Options**

Those who have been subjected to an incident of sexual violence or sexual harassment, or who have received a report of or witnessed an incident of sexual violence or sexual harassment, have several options for reporting the incident:

1.  The individual may elect not to report (unless the individual is an employee who has information about a sexual assault as described in 36.05 D. above)

2.  The individual may report information to a confidential university employee. On our campus, the professional medical providers (Nurse Practitioners and Mental Health Counselors) in our Student Health and Counseling Center are designated as confidential employees and can be contacted at (262) 595-2366. Additionally, a confidential report can be made with an advocate from a community based crisis center such as Kenosha County's Women and Children's Horizons at (262) 652-9900.

3.  The individual may report information to the campus Title IX Coordinator or Deputy Title IX Coordinators.  Heather Kind-Keppel, University Diversity and Inclusion Officer, is our Title IX Coordinator and can be contacted at (262) 595-2239. Contact information for the Deputy Title IX Coordinators is available on the Sexual Misconduct webpage:  [https://www.uwp.edu/live/offices/studentaffairs/sexual-misconduct/](https://www.uwp.edu/live/offices/studentaffairs/sexual-misconduct/index.cfm)

4.  The individual may report information to the Dean of Students Office at (262) 595-2598 or via an electronic [Sexual Assault Reporting Form](https://publicdocs.maxient.com/reportingform.php?UnivofWisconsinParkside&layout_id=1) found on the Sexual Misconduct webpage.  <https://cm.maxient.com/reportingform.php?UnivofWisconsinParkside&layout_id=1>

5.  The individual may report information to the UW-Parkside Police at (262) 595-2911 (emergency line) or (262) 595-2455 (non-emergency line).

6.  The individual may report information to the local law enforcement agency in whose jurisdiction the assault occurred.  If reporting at the time of the assault, dial 911 to reach the local law enforcement agency.  If reporting at a later time, use the non-emergency number for the local jurisdiction in which the assault occurred: Kenosha Police Department at (262) 656-1344; Kenosha County Sheriff at (262)-653-6600; City of Racine Police at (262) 635-7700; Racine County Sheriff's Office at (262) 886-2300; Milwaukee Police Department at (414) 933-4444; and Milwaukee County Sheriff's Office at (414) 226-7000.

**Note:**  An individual may make a report to one or more of the offices or individuals noted above.

Individuals have the option to file a complaint with the **U.S. Department of Education, Office for Civil Rights**:  [http://www2.ed.gov/about/offices/list/ocr/docs/howto.html](https://www2.ed.gov/about/offices/list/ocr/docs/howto.html).

**B.    Amnesty for Students**

Complainants, victims, and witnesses to incidents of sexual violence, including sexual assault, will not be issued citations or subject to disciplinary sanctions for violations of university policy at or near the time of the incident unless the institution determines that the violation was egregious, including actions that place the health or safety of any other person at risk.

**C.    Confidentiality**

Individuals, including victims, who make a report to any of the offices or individuals listed in this policy, or to any other university employee, except those designated as confidential employees, cannot be assured absolute confidentiality. However, information provided in the report and in any subsequent, related proceeding will be maintained in a private manner; only those individuals who have a need to know to fulfill obligations consistent with university policies or laws will be privy to certain information. On our campus, the professional medical providers (Nurse Practitioners and Mental Health Counselors) in our Student Health and Counseling Center are designated as confidential employees and can be contacted at (262) 595-2366. Additionally, a confidential report can be made with an advocate from a community based crisis center such as Kenosha County's Women and Children's Horizons at (262) 652-9900.

**D.    Resources and Accommodations**

1.  Accommodations

The university will work with individuals involved in alleged incidents of sexual violence and sexual harassment to undertake appropriate measures to assist in their safety and wellbeing. These may include: no-contact directives, academic or work modifications, and relocation of living or working space.

2.  Resources

A number of university and community resources are available to individuals involved in incidents of sexual violence or sexual harassment. A listing of these [resources](https://www.uwp.edu/live/offices/studentaffairs/sexual-misconduct/resources.cfm) with contact information is available on the Sexual Misconduct webpage.  <https://www.uwp.edu/live/offices/studentaffairs/sexual-misconduct/resources.cfm>.

**Note:** University and community accommodations and resources mentioned above are available regardless of whether an official report is made, if university or police action is taken, the location of the assault, or the affiliation of the attacker with the university.

**E.    Procedures**

1.  When a report is made to the Title IX Coordinator alleging that a student has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

Chapter UWS 17, Wis. Admin. Code: <http://docs.legis.wisconsin.gov/code/admin_code/uws/17>

2.  When a report is made to the Title IX Coordinator alleging that a faculty member has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

Chapter UWS 4, Wis. Admin. Code: <http://docs.legis.wisconsin.gov/code/admin_code/uws/4>  
Chapter UWS 6, Wis. Admin. Code: <http://docs.legis.wisconsin.gov/code/admin_code/uws/6>  
Chapter UWS 7, Wis. Admin. Code: <http://docs.legis.wisconsin.gov/code/admin_code/uws/7>

3.  When a report is made to the Title IX Coordinator alleging that a member of the academic staff has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

Chapter UWS 11, Wis. Admin. Code: <http://docs.legis.wisconsin.gov/code/admin_code/uws/11>   
Chapter UWS 13, Wis. Admin. Code: <http://docs.legis.wisconsin.gov/code/admin_code/uws/13>

4.  When a report is made to the Title IX Coordinator alleging that a member of the university staff has engaged in an act of sexual violence or sexual harassment, the procedures linked here apply.

UPS Complaint Procedure:  <https://www.uwp.edu/explore/offices/humanresources/upscomplaintpro.cfm>   
UPS Local Grievance Procedures:  <https://www.uwp.edu/explore/offices/humanresources/uspgriev.cfm>

5.  When a report is made to the UW-Parkside Police or to a Kenosha County law enforcement agency alleging that an individual has engaged in an act of sexual violence or sexual harassment, the Kenosha County Sexual Assault Response Team (SART) Protocol procedures apply.  <https://www.uwp.edu/live/offices/studentaffairs/sexual-misconduct/upload/Kenosha_County_SART_Protocol_FINAL_9516.pdf>

When a report is made to more than one of the offices noted above, the offices will endeavor to cooperate as they are able.  Attempts will be made to limit the number of times a complainant or respondent is required to repeat information about the allegations.

**F.    Prompt Resolution**

The offices and individuals receiving a report of sexual assault or sexual harassment will endeavor to resolve the matter in a timely manner, with consideration to available information and context.

1.  Potential Sanctions

The procedures identified above provide for disciplinary action against staff members and students who are found responsible for violating University policy.  Such sanctions may include restrictions on a course or program, suspension, expulsion, suspension and dismissal from academic

duties. Chapter UWS 17.10, Wis. Admin. Code provides a more comprehensive list of potential sanctions against students. Employee sanctions may include suspension from duties and dismissal.

2.  Notice of Outcome

Both the complainant and the respondent will be provided with notice of the outcome of the final resolution of the complaint.

**G.    Prohibition Against Retaliation**

This policy prohibits retaliation against an individual who reports, assists an individual in reporting, or participates in proceedings involving an allegation of sexual violence or sexual harassment.

Retaliation under this policy includes threats, intimidation, or adverse employment/academic actions.  Those who believe they have been subjected to retaliation under this section may report the allegations to the Title IX Coordinator or Deputy, campus law enforcement, or local law enforcement.  (See contact information above.)

**H.    False Accusations**

Knowingly making a material misstatement of fact in connection with reporting under this policy may subject the individual to disciplinary action.  Anyone who believes that they have been the subject of a false complaint may meet with the Title IX Coordinator to discuss the allegations. The filing of a complaint that does not result in a finding of prohibited conduct is not alone evidence of the intent to file a false complaint.

**36.7 Education and Training**

The Title IX Coordinator will be primarily responsible for facilitating the training and educational programs to the campus community. At a minimum, all students and employees will be required to complete the campus-supported on-line training covering issues of sexual violence and sexual harassment.

The Chancellor or designee will identify and offer more in-depth training for employees who are executives, supervisors, managers, directors, department heads, responsible employees, and those connected with the disciplinary process.

**36.8 Record Keeping and Data Collection**

As noted above, the Title IX Coordinator will maintain records of reports of sexual violence and sexual harassment consistent with the institutional records-retention policy.  In addition, the Title IX Coordinator will track compliance with mandatory training programs, and maintain a list of training and education offered on campus.

The Dean of Students Office, working in conjunction with the UW-Parkside Police Department, will collect, maintain, and submit the Annual Security Report, consistent with the federal Clery Act.

The Office of the Dean of Students, or other appropriate office, will collect appropriate data and compile the state report required under § 36.11(22), Wis. Stats.

**36.9 Assessment**

The Dean of Students Office will conduct a study that seeks to gather data and information concerning sexual violence and harassment on or near campus.  Efforts will be made to conduct such a study once every 3-5 years.  All students and employees are encouraged to participate.  The office will also work to design methods for effectively evaluating the outcomes of campus training and educational programming.  It is imperative that UW System institutions proactively integrate empirically informed assessment and evaluations into sexual violence and harassment prevention and awareness programs to measure whether they are achieving the intended outcomes.

**36.10 Review**

The Title IX Committee shall be responsible for updating the policy as needed and conducting an annual review of the policy. Recommendations for changes will be forwarded to the Chancellor's Cabinet for approval no later than June 1st.

**Administrative Policy 36: Sexual Violence and Sexual Harassment Policy**

**Appendix A Definitions**

Issued: August 5, 2008  
Revised: March 2, 2017

**Reference:**  
Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.; 34 C.F.R. Part 106);

[UW System Regent Policy 14-2:  Sexual Violence and Sexual Harassment;](https://www.uwp.edu/explore/offices/governance/upload/UW-System-Regent-Policy-Document-14-2.docx)

[UW System Regent Policy 14-8:  Consensual Relationships;](https://www.uwp.edu/explore/offices/governance/upload/UW-System-Regent-Policy-Document-14-8.docx)

Additional UWS Policies as referenced in text below.

**36.4 Definitions**

**Complainant.**  Any individual who is reported to have been subjected to sexual harassment, sexual assault, dating violence, domestic violence, or stalking, as defined in the relevant Administrative Code provisions or policies. See, e.g., Chs. UWS 4.015 (faculty), UWS 11.015 (academic staff), and UWS 17.02(2m) (students).

**Confidential Employee.**  Any employee, who is a licensed medical, clinical, or mental health professional, when acting in that role in the provision of services to a patient or client who is a university student or employee. A Confidential Employee will not report specific information concerning a report of sexual violence or sexual harassment received by that Employee in the Employee's professional capacity unless with the consent of the reporting individual or unless required by the Employee's license or by law.

**Confidential Resource.**  Individuals or agencies in the community, whose professional license or certification permits that individual or agency to preserve the confidentiality of the patient or client.

**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 the person is incapacitated because of drugs, alcohol, physical or intellectual disability, or unconsciousness [§. 940.225(4), Wis. Stats.].

**Dating Violence.**  Violence committed in a "dating relationship," which is defined as a romantic or intimate social relationship between two adult individuals; "dating relationship" does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context.  A court shall determine if a dating relationship existed by considering the length of the relationship, the type of the relationship, and the frequency of the interaction between the adult individuals involved in the relationship [§ 813.12(1)(ag), Wis. Stats.].

**Domestic Violence.**  Any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver's care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common [§§ 813.12

(1)(am) and 968.075, Wis. Stats.]:

1. Intentional infliction of physical pain, physical injury, or illness.
2. Intentional impairment of physical condition.
3. A violation of the state statute regarding sexual assault [§ 940.225(1), (2) or (3), Wis. Stats.].
4. A violation of the state statute regarding stalking [§ 940.32, Wis. Stats.].
5. A violation of the state statute regarding damage to property [§ 943.01, Wis, Stats.], involving property that belongs to the individual.
6. A threat to engage in any of the conduct under 1 through 5 listed above [§§ 813.12 (1)(am) and 968.075, Wis. Stats.].

**Employee.**  Any individual who holds a faculty, academic staff, university staff, limited, student employment, employee-in-training, temporary, or project appointment. (See, e.g., UPS Operational Policy, GEN 0, General Terms and Definitions (<https://www.wisconsin.edu/ohrwd/download/policies/ops/gen0.pdf>)

**Executive Order 54.**  Executive Order issued by Governor Walker in 2011 requiring that university employees report incidents of child abuse and neglect which they observe or witness in the course  of their employment.  Such reports must be personally and immediately made to law enforcement or the county department of social services or human services. ([Executive Order 54](https://www.uwp.edu/explore/offices/governance/upload/Executive-order-54.docx))

**Hostile Environment.**  A hostile work, academic, or program-related environment is created when one engages in harassment that consists of unwelcome verbal or physical conduct directed at another individual because of that individual's gender, and that has the purpose or effect of creating an intimidating, hostile, or offensive work, academic, or program-related environment or has the purpose or effect of substantially interfering with that individual's work or academic performance. Substantial interference with an employee's work or academic performance or creation of an intimidating, hostile, or offensive work, academic, or program-related environment is established when the conduct is such that a reasonable person under the same circumstances as the student or employee would consider the conduct sufficiently severe or pervasive to interfere substantially with the person's work or academic performance or to create an intimidating, hostile, or offensive work or learning environment. [See, e.g., § 111.36(1)(b), Wis. Stats.]

**Incapacitation.**  As it applies to this policy, the state of being unable to physically and/or mentally make informed rational judgments and effectively communicate, and may include unconsciousness, sleep, or blackouts, and may result from the use of alcohol or other drugs. Where alcohol or other drugs are involved, evaluation of 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.

**Office for Civil Rights.**  The U.S. Department of Education office that is responsible for enforcing Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and other education-based discrimination acts.  [http://www2.ed.gov/about/offices/list/ocr/complaints-how.html](https://www2.ed.gov/about/offices/list/ocr/complaints-how.html)

**Preponderance of the Evidence.**  Information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than "clear and convincing evidence" and is the minimum standard for a finding of responsibility.  [Sections UWS 17.02(13), UWS 11.015(7), UWS 4.015(7), and UWS 7.015(5), Wis. Admin. Code]

**Respondent.**  A student who is accused of violating a policy under Chapter UWS 17, Wis. Admin. Code, or an employee who is accused of violating a policy under Chapters UWS 4, 7, or 11, Wis. Admin. Code.

**Responsible Employee.**  Any employee (other than a "confidential resource"):

1. Who has the authority to take action to redress sexual misconduct;
2. Who has been given the duty of reporting incidents of sexual misconduct by students or employees to the Title IX coordinator or other appropriate school designee; or
3. Who a student could reasonably believe has this authority or duty. April 29, 2014 "Dear Colleague Letter", available at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

**Retaliation.**  An adverse action taken against an individual in response to, motivated by, or in connection with an individual's complaint of discrimination or discriminatory harassment, participation in an investigation of such complaint, and/or opposition of discrimination or discriminatory harassment in the educational or workplace setting.

**Sex Discrimination.**  Discrimination on the basis of sex or gender. Sexual harassment and sexual assault are forms of sex discrimination. [See 20 USC §§ 1681-1688]

**Sexual Assault.**  Sexual contact or sexual intercourse with another person without the consent of that person.

1. FIRST DEGREE SEXUAL ASSAULT. Engaging in any of the following constitutes First Degree Sexual Assault:

a. Sexual contact or sexual intercourse with another person without consent of that person and that causes pregnancy or great bodily harm to that person.

b. Sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.

c. Sexual contact or sexual intercourse with another person without the consent of that person by use or threat of force or violence, aided or abetted by one or more persons.

2. SECOND DEGREE SEXUAL ASSAULT. Engaging in any of the following constitutes Second Degree Sexual Assault:

a. Sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.

b. Sexual contact or sexual intercourse with another person without consent of that person causing injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.

c. Sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.

d. Sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.

e. Sexual contact or sexual intercourse with a person who the defendant knows is unconscious.

f. Sexual contact or sexual intercourse with another person without the consent of that person, aided or abetted by one or more other persons.

3. THIRD DEGREE SEXUAL ASSAULT. Sexual intercourse with a person without the consent of that person.

4. FOURTH DEGREE SEXUAL ASSAULT. Sexual contact with a person without the consent of that person. [§ 940.225, Wis. Stats.]

**Sexual Contact.**  Intentional touching, whether direct or through clothing, if that intentional touching is for the purpose of sexually degrading or sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery under § 940.19(1) or § 940.225(5)(b)(1), Wis. Stats.

**Sexual Harassment.**  Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience, (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such an individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment. [Adapted from 29 C.F.R. § 1604.11 (1980)].]

**Sexual Intercourse.**  Penetration, as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening either by the defendant or upon the defendant's instruction [§ 940.225(5)(c), Wis. Stats.].

**Sexual Violence.**  The phrase, as used in this policy, refers to incidents involving sexual assault, sexual harassment, stalking, dating violence, and domestic violence.

**Stalking.**  Intentionally engaging in a course of conduct 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 himself or herself or a member of his or her family or household [§. 940.32, Wis. Stats.].

**Student.**  "Student" means any person who is registered for study in a University of Wisconsin System institution for the academic period in which the alleged act of sexual violence or sexual harassment occurred, or between academic periods for continuing students. [See Chapter UWS 17.02(14), Wis. Admin. Code.]

**Title IX.**  Title IX of the Education Amendments of 1972 (20 U.S.C. sec. 1681 et seq.; 34 C.F.R. Part 106)(as amended) is a federal law that states, "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." 20 U.S.C. § 1681(a).

**Title IX Coordinator (and Deputies).**  An employee designated to coordinate compliance with Title IX, who plays an in important role in an institution's efforts to ensure equitable opportunity for all students and employees, and who works with school officials to remind the school community that students and employees must have equal access to all programs. (Adapted and revised from April 24, 2015, "Dear Colleague Letter" available at  <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201504-title-ix-coordinators.pdf>).

**Trauma-Informed Care.**  Trauma-informed care reflects an understanding of trauma and emphasizes creating services and programs that are sensitive and directly responsive to the trauma that many victims and survivors experience following a violent crime.  Trauma-informed care programs identify and limit potential triggers to reduce their re-traumatization and protect their mental and emotional health. <https://www.justice.gov/ovw/blog/importance-understanding-trauma-informed-care-and-self-care-victim-service-providers>. Trauma-informed care is an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma.

Trauma-informed care also emphasizes physical, psychological and emotional safety for both consumers and providers, and helps survivors rebuild a sense of control and empowerment. See   
also  <http://www.traumainformedcareproject.org/resources/SAMHSA%20TIC.pdf>;  
and <http://www.nsvrc.org/sites/default/files/publications_nsvrc_guides_building-cultures-of-care.pdf>

**Violence Against Women Act (VAWA).**  Federal law enacted in 1994, which promotes the investigation and prosecution of violent crimes against women, among other objectives. Recently, it affected amendments to the Clery Act [42 U.S.C. §§ 13701-14040], through the Campus Sexual Violence Elimination Act (SaVE) provision, Section 304.

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Policy 58

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| **Administrative Policy 58: Acceptable Use of IT Resources Policy** | Issued: April, 1995 Revised: 1/26/2015 |  |
| Reviewers: Campus Technology Services | Maintained By: Campus Technology Services |

**58.01 Purpose**

The purpose of this policy is to protect the well-being of students and employees by outlining the acceptable use of information technology resources at UWP. Access to UWP information technology (IT) resources is essential to the mission of the University. Use of IT resources must be consistent with the University’s mission, with its role as a public agency, and with University of Wisconsin System Policy 25-3 on use of IT resources. Access to University IT resources is a privilege granted to students, faculty, staff, and authorized community members which carries with it the responsibility to use the resources for University-related activities and exercising common sense and civility. Regulations that govern personal conduct and use of University facilities also apply to the use of IT resources. Violation of University rules governing responsible use of IT resources may result in loss of access privileges, University disciplinary action and/or criminal prosecution. The appropriate due process and policies will be followed depending upon whether faculty, staff, students, or community members are involved.

Individual campus units may have additional supplemental guidelines that augment but do not relax this policy.

**58.02 Prioritization of Resources**

Information technology resources include computers, software, storage, e-mail accounts, internet access and similar computing tools. While supporting the general principle of open access, when insufficient resources are available, eligibility for access to IT resources will be determined by the following priorities:

1. The highest priority will be granted for needs directly related to the requirements of a course of study or a research program.
2. Other activities not directly stipulated within a course of study or course catalog will be granted the next, lower level of priority.
3. All other activities.

**58.03 Login and Other Authorizations**

On-campus and off-campus access to the IT resources will be granted for legitimate academic, research, and support activities. Authorization for use of IT resources is provided to each individual for his or her own use while in the course of employment or study at UWP, or with specific permission. Access will be removed upon termination of the formal affiliation. Refer to the Campus Technology Services (CTS) Web site or knowledgebase for specific grace periods. Continued access and preservation of user’s content after change in affiliation is not guaranteed.

**58.04 Securing Credentials**

Users must protect the confidentiality of their personal identification codes and passwords and are expected to exercise reasonable care to ensure that their accounts are not used by others.

**58.05 Unauthorized Access**

Users may not obtain, or attempt to obtain, change, delete, or use passwords, credentials, software, files, accounts, or other privileges, resources, or access that have not been assigned to them. Users are responsible for reporting any observed malicious software, hardware, or unauthorized access to University IT resources to CTS staff or designated representative.

**58.06 Access Restrictions**

Access to campus network resources may be wholly or partially restricted by the University without prior notice and without the consent of the user when:

* required by and consistent with law
* when there is reason to believe that violations of policy or law have taken place
* when the continued access/use of network resources by an individual significantly affects the integrity, performance, or security of the campus network as a whole

The individual will be notified of the reason and duration of the access restriction as soon as possible. Access will be restored when the situation has been resolved.

These are general university policies; departments or other units may place additional restrictions on the resources that they manage.

**58.07 Intellectual Property**

Illegal downloading, distribution, copying of materials or other activities that violate intellectual property laws, including copyright, are strictly prohibited. Any software, images, videos, and other content installed or downloaded must be properly licensed from the copyright owner, and any modifications must comply with the terms of the applicable license. Even if content (such as images) is easily available on the Internet that does not necessarily make it legal to download and use. Users must comply with the "fair use" provisions of the United States Copyright Act of 1976. Additional information is available in Copyright Policy 76.

**58.08 Malicious Activity**

Users may not interfere with another person or entity’s authorized access to IT resources. They may not maliciously access, alter, delete, disrupt, damage, or destroy University IT resources in any way or use those resources to maliciously access, alter, delete, disrupt, damage, or destroy IT resources of another person or entity. Users may not intentionally distribute viruses or other malicious code or install software or hardware that permits unauthorized access or bypass network security strategies. Scanning, probing, or testing of University IT resources that may affect their performance is not allowed without prior approval of CTS or designated representative. Persons may not unreasonably or intentionally damage university IT equipment and other resources.

**58.09 Privacy**

Users are expected to protect others’ privacy. They may not use IT resources to stalk, harass, threaten, or otherwise cause harm to another individual or entity, or to the activities of others. Users may not forge identities or send anonymous messages. Users should not assume that digital content they create or store via the University’s resources is private unless specifically protected by applicable technologies and regulations.

**58.10 Managing IT Resources**

The University collects resource utilization statistics including but not limited to network address and application use. It may restrict non-essential uses where resource utilization negatively affects activities critical to the University’s mission. CTS staff and designated representatives will communicate in a timely manner with affected users.

The University may review and potentially release user data in order to:

* Meet the requirements of the Wisconsin Public Records Law, or other statutes, laws or regulations
* Protect the integrity of the University’s information technology resources, and the rights and other property of the University
* Allow system administrators to perform routine maintenance and operations, and respond to emergency situations
* Comply with other lawful purposes

IT staff members must respect and ensure the confidentiality and privacy of the data they observe or access during the course of performing their duties.

**58.11 Unauthorized Connections**

With the exception of common end-user devices such as tablets, laptops and cellular phones, users may not connect devices that have the potential to degrade or disrupt campus network equipment or system performance without prior approval by a CTS technician or designated representative. This includes servers, switches, hubs, wireless access points, and other unapproved devices. Any added devices outside of common end-user devices must be described to and recorded by CTS technician or designated representative.

Users should take reasonable steps to ensure that your desktop or laptop computer system does not create a security risk when connected to the network, including keeping anti-virus software and operating patches up-to-date.

**58.12 Commercial, Political, and Non-University Activities**

Users may not use UWP IT resources to sell or solicit sales for any goods, services, or contributions unless such use conforms to UWP rules and regulations. They may not use University IT resources to represent the interests of any non-University group or organization unless authorized by the Chancellor or designee. Users may not use these resources to support the nomination of any person for political office or to influence a vote in any election or referendum.

Incidental personal use is tolerated. The University reserves the right to restrict personal use of its resources and services.

**58.13 State and Federal Laws**

UWP IT users will follow appropriate Federal, State, and UWP laws and regulations.

**58.14 Policy Review**

The Chief Information Officer (CIO) will coordinate an annual review of the policy. Members of the campus community can forward to the CIO suggested changes for review by February 1. Recommendations for changes will be provided by the CIO to the Chancellor’s Cabinet for approval no later than March 1st.

**University of Wisconsin-Parkside**

**Confidentiality Statement**

I understand that as a volunteer at the University of Wisconsin-Parkside I must maintain confidentiality of all students and staff enrolled or employed at the University that includes any and all information disclosed verbally or in writing. Violation of maintaining confidentiality will result in immediate removal of my ability to continue as a volunteer at UW-Parkside.

Print Volunteer Name

Signature of Volunteer Date

**Sexual Violence & Sexual Harassment Policy #36**

**Receipt Acknowledgement**

I am in receipt of the University of Wisconsin-Parkside Sexual Violence & Sexual Harassment Policy #36. I have read and understand the policy and agree to adhere to the policy guidelines as a condition of my volunteer duties and my continuing volunteer duties at UW-Parkside.

Print Name

Signature Date

### Acceptable Use of IT Resources Policy #58

**Receipt Acknowledgement**

I am in receipt of the University of Wisconsin-Parkside Acceptable Use of IT Resources Policy #58. I have read and understand the policy and agree to adhere to the policy guidelines as a condition of my volunteer duties and my continuing volunteer duties at UW-Parkside.

Print Name

Signature Date

Cc: Personnel File