

# Northland College

## 2019 COMBINED ANNUAL SECURITY REPORT & FIRE SAFETY REPORT

### **Introduction**

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Northland College (“College”) with information on: the College’s security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

### **Policy for Preparing the Annual Report**

This report is prepared by the Office of Student Affairs in cooperation with local law enforcement authorities and includes information provided by them as well as by the College’s Campus Safety authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report’s availability. Hard copies of the report may also be obtained at no cost by contacting the Dean of Students, Northland College, 1411 Ellis Avenue, Ashland, WI 54806 or 715-682-1230.

The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

### **General Safety and Security Policies**

#### **Campus Safety Personnel & Relationship with Local Law Enforcement**

The Campus Safety Office is responsible for campus safety at the College.

The Campus Safety Office is a contracted service through Securitas Security Services, Inc. Securitas is a locally-focused, full-service security company offering comprehensive and customized security solutions. The Office consists of four-to-five security officers and is overseen jointly by the Northland College Chief Operating Officer and the Dean of Students. Members of Campus Safety do not have any law enforcement authority, nor do they have the ability to make arrests or carry firearms. However, their authority does include enforcing campus policies and regulations. This includes the authority to ask persons for their identification, to determine whether individuals have lawful business at Northland College, and to issue parking tickets (which are billed to the financial accounts of students, faculty, and staff). The locations monitored by Campus Safety include the college campus, Maxwell property (60393

State Hwy 118, Ashland, WI 54806) which includes a building and some acreage, and Blue Wave property (2521 W Lakeshore Dr., Ashland, WI 54806).

Criminal incidents are referred to the local police who have jurisdiction on campus. The Campus Safety Office maintains a highly professional and collaborative relationship with the Ashland County Sheriff's Office, Ashland City Police, and other local law enforcement, which help augment security services on campus. The College and the Ashland City Police Department continue to explore a formal memorandum of understanding (MOU) regarding the investigation of crimes on campus, though it has yet to be executed.

### **Campus Security Authorities**

The College has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the College's annual report of crime statistics. The campus security authorities to whom the College would prefer that crimes be reported are listed below.

- Campus Safety Site Supervisor at 715-682-1399
- Chief Operating Officer/Academic Dean at 715-682-1226
- Counselor at 715-682-1369
- Dean of Students at 715-682-1230
- Director of Athletics at 715-682-1395
- Director of Residential Life at 715-682-1674
- Executive Director of Human Resources and Institutional Risk Management at 715-682-1841
- Student Nurse at 715-682-1387
- Title IX Administrator at 715-682-1484 or Deputy Title IX Coordinator at 715-682-1245

### **Reporting a Crime or Emergency**

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- **To reach an outside line from a campus phone, you must first dial 8.**
- All crimes occurring on or near College property should be reported immediately to the Campus Safety Office. The number to contact is 715-682-1399. The office is located on the second floor of Mead Hall, #237.
- For on campus emergencies (police, fire or medical):
  - Dial 9-1-1 from a campus phone
  - Dial 1399 from a campus phone
  - Dial 715-682-1399 from an off campus phone or a cell phone
  - Use the emergency (blue) call boxes located at each Residence Hall

- For off campus emergencies:
  - Dial 9-1-1
- For on campus non emergencies
  - Dial 1399 from a campus phone
  - Dial 715-682-1399 from an off campus phone or cell phone
- Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a College staff member will assist in making the report to police.
- Anonymous incident reports can also be made by contacting Campus Safety at 715-682-1399 but not providing a name.

Dialing 9-1-1 will initiate a local law enforcement or fire department response. After you contact 9-1-1, we encourage you to call Campus Safety to notify them that you contacted local authorities so that security staff may provide any assistance that is required. If the situation is an emergency and you are in the vicinity of a blue light phone, it can be used to contact Campus Safety or the local police.

When Campus Safety is notified, they will respond to your location, investigate the situation, provide support, file an incident report (when applicable) and assist you with any other needs you may have as a result. All reports made to Campus Safety will be referred to the Office of Student Affairs for further investigation and review. All individuals witnessing a crime will be encouraged to report the incident to local law enforcement. All reports made to Campus Safety will be included in the campus crime log.

Any member of the campus community can file an incident report. Contact Campus Safety at 715-682-1399 to file a report.

### **Confidential Reporting**

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Pursuant to the College's Gender-Based Misconduct Policy, when a "responsible employee" becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Administrator. Other personnel may be allowed to keep such information private, and certain designated confidential resources may not report this type of information, thus allowing the victim to keep the report confidential. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the College disciplinary system or the criminal justice system is encouraged to make a confidential report to the Counselor or Student Nurse. (Ponzio Campus Center). Upon the victim's request, a report of the details of the incident can be filed with the College without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

The College encourages its professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The College does not have pastoral counselors.

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

All doors leading to the living areas of the residence halls are locked 24 hours a day. Residents are given access to campus residence halls via their student ID card. Residents are responsible for their room key/student ID card and for keeping their room door locked. Residents must escort their guests at all times. Maintaining residence hall security is a shared responsibility of all residents. It is a violation of policy if residents are found to be loaning their student ID card or room key to anyone or propping a security door. Residents are encouraged to contact Campus Safety and housing staff if they observe anyone in their living area who is unknown or appears suspicious. Over extended breaks, the doors to all the halls will not be accessible unless the student has received prior permission to stay on campus.

Non-residential campus facilities remain unlocked during the day and into the evening. Some buildings are locked at the end of the work day while others are open until 11 PM. However, hours do vary depending on the use of the building. For questions regarding building accessibility, contact Campus Safety. During non-business hours access to all College facilities is by ID card, by key, or by admittance via Campus Safety.

Please remember that doors on campus are not to be propped open. Anyone propping an exterior door or computer room door without the permission of Campus Safety may be subject to campus discipline.

### **Security Considerations in the Maintenance of Facilities**

The Campus Safety Office works with the Facilities Department to identify maintenance issues on campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming. Maintenance personnel regularly check to ensure there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

### **Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

The College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

Campus Safety at Northland College offers safety training and information sessions to students throughout the year. At informational sessions, students meet the Campus Safety officers and are trained on safety procedures and crime prevention. This includes information about the escort service provided by Campus Safety. Additional trainings for the campus community are provided on an as-needed basis. A common theme of all awareness and crime prevention programs is to encourage students and employee to be aware of their responsibility for their own security and the safety of others. In addition, information is available to the campus community through posters, brochures, displays, awareness days, and articles in the student newspaper.

**Blue Light Call Boxes:** To enhance safety on campus, the College has installed emergency telephones (blue light call boxes) at several campus locations. These blue light call boxes provide callers with the ability to summon help in an emergency and the phones are accessible 24/7. The phone includes an

emergency button which immediately summons 911. The phones can also be used to call Campus Safety as well as other numbers on campus.

Blue Light Call Box Locations:

- Fenenga Hall
- McMillan Hall
- Mead Hall
- MELLC (McLean Environmental Living and Learning Center)
- Memorial Hall

**Safe Walk Escorts:** Campus Safety officers are available to escort students, faculty, and staff between facilities on campus. All campus residents are informed of this service at the initial hall meetings each semester and in numerous campus publications.

**Campus Video System:** There are several cameras located at key locations across campus to help provide a safer campus environment. The cameras have continuous recording capabilities.

**Card Access System:** The campus has a card access system that controls entry into campus facilities. The residential halls are locked 24/7 and can only be accessed through the use of the card. Residents have access to on-campus residence halls. Other facilities are open during daytime hours, and have card access during closed periods for those who are authorized to use the facility.

**Safety Tips:**

- Travel in pairs at night.
- Make use of the safe walk escort serve provided by Campus Safety (x1399)
- Park in well-lit areas at night.
- Notify residential life staff if you plan to be gone from campus more than 1 day.
- Lock your bicycle.
- Keep all valuables out of site in your parked vehicle.
- Use locks at all times.
- Do not prop open doors.
- Be aware of date rape drugs or eating food prepared by people who you don't know.
- Do not give out any personal or financial information over the internet, email, or by telephone without first verifying with the organization requesting the information that the request is genuine.
- If you observe an unknown visitor in your residence hall, notify Campus Safety immediately.
- If your ID card is lost or stolen, notify Campus Safety then visit the ID office to obtain a new ID.
- Have your key or ID card ready as you approach your vehicle or living area.
- When you are out for the evening, let someone know where you are and who you are with and to report it to Campus Safety if you do not return when you have indicated that you would return to campus.

- Be aware of your surroundings. If something doesn't look or feel right, assume that it is not right.

### **Monitoring Off Campus Locations of Recognized Student Organizations**

The College does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

### **Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense**

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

### **Drug and Alcohol Policy**

The College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the College's activities, unless it is done so in accordance with applicable College policies, and it also enforces the state's underage drinking laws.

The College also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the College's activities. Violators of the College's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

### **Drug and Alcohol Abuse Prevention Program**

In compliance with the Drug Free Schools and Communities Act (DFSCA), the College has a drug and alcohol abuse and prevention program, which includes an annual notification to students and employees regarding certain drug/alcohol-related information (such as legal sanctions for violations of applicable laws, health risks, etc.) and a biennial review of this program to evaluate its effectiveness and assess whether sanctions are being consistently enforced. For more information, see below.

- Alcohol and Drug Policy: <https://my.northland.edu/student-policies/student-rights/>
- Controlled Substance Policy: <https://my.northland.edu/student-policies/student-rights/>
- Northland has a separate employee-focused Alcohol and Drug Policy and Drug-free Workplace Policy, which can be found in the College-wide Employment-related Policies handbook and in the Staff Handbook
- Information regarding the biennial review of the College's drug and alcohol abuse prevention program can be obtained by contacting the Office of Student Affairs

## **Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Consistent with applicable laws, the College prohibits dating violence, domestic violence, sexual assault, and stalking. The College’s policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Title IX Grievance Process: <https://my.northland.edu/wp-content/uploads/sites/2/2019/06/FINAL-Northland-College-Title-IX-Grievance-Process.pdf>
- Gender-Based Misconduct Policy: <https://my.northland.edu/student-policies/student-rights/#gender>
- The Harassment Policy found in the College-wide Employment-related Policies handbook outlines the procedures that will be followed for alleged violations of the Gender-Based Misconduct Policy when a complaint is alleged by an employee against another employee.

The following sections of this report discuss the College’s educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses; and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

### **Primary Prevention and Awareness Program:**

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

#### Crime Definitions

<b>Crime Type (Wisconsin Statutes)</b>	<b>Definitions</b>
Dating Violence	The institution has determined, based on good-faith research, that Wisconsin law does not define the term dating violence.
Domestic Violence	<p>The institution has determined, based on good-faith research, that Wisconsin law does not define the term domestic violence.</p> <p>However, Wisconsin law defines the following in its criminal statutes:</p> <ul style="list-style-type: none"> <li>• Domestic Abuse (Wis. Stat. § 968.075): “Domestic abuse” means any of the following engaged in by an adult person against his or her 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: (1) Intentional infliction of physical pain, physical injury or illness; (2) Intentional impairment of physical condition; (3) [Violation of Wisconsin’s sexual assault statutes]; (4) A physical act that may cause the other person reasonably to fear imminent engagement in the conduct described under subd. 1, 2, or 3.</li> </ul>

<b>Crime Type</b> <b>(Wisconsin Statutes)</b>	<b>Definitions</b>
Stalking (Wis. Stat. § 940.32)	<ul style="list-style-type: none"> <li>• Whoever meets all of the following criteria is guilty of a Class I felony: (a) The actor 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 himself or herself or a member of his or her family or household; (b) The actor knows or should know that at least one of the acts that constitute the course of conduct will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household; (c) The actor's acts cause the specific person to suffer serious emotional distress or induce fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.</li> <li>• Whoever meets all of the following criteria is guilty of a Class I felony: (a) After having been convicted of sexual assault under s. 940.225, 948.225, 948.02, 948.25, or 948.085, or a domestic abuse offense, the actor engages in any of the acts listed [below under the definition of "course of conduct"], if the act is directed at the victim of the sexual assault or the domestic abuse offense; (b) The actor knows or should know that the act will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household; (c) The actor's act causes the specific person to suffer serious emotional distress or induces fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.</li> <li>• As used above, "course of conduct" means a series of 2 or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following: (1) Maintaining a visual or physical proximity to the victim; (2) Approaching or confronting the victim; (3) Appearing at the victim's workplace or contacting the victim's employer or coworkers; (4) Appearing at the victim's home or contacting the victim's neighbors; (5) Entering property owned, leased, or occupied by the victim; (6) 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; (6m) 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; (7) 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; (8) Placing an object on or delivering an object to property owned, leased, or occupied by the victim; (9) 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</li> </ul>

Crime Type (Wisconsin Statutes)	Definitions
	intent that the object be delivered to the victim; (10) Causing a person to engage in any of the acts described in subds. 1 to 9.
Sexual Assault	<ul style="list-style-type: none"> <li>• First Degree Sexual Assault (Wis. Stat. § 940.225(1)): Whoever does any of the following is guilty of a Class B felony: (a) Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person; (b) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon; (c) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.</li> <li>• Second Degree Sexual Assault (Wis. Stat. § 940.225(2)): Whoever does any of the following is guilty of a Class C felony: (a) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence; (b) Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim; (c) Has 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; (cm) Has 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; (d) Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious; (f) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without the consent of that person.</li> <li>▪ Third Degree Sexual Assault (Wis. Stat. § 940.225(3)): Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class G felony. Whoever has sexual contact in the manner described in [the second and third bullet points under the definition of "sexual contact" below] with a person without the consent of that person is guilty of a Class G felony. <ul style="list-style-type: none"> <li>• "Sexual contact" means any of the following (Wis. Stat. § 940.225(5): <ul style="list-style-type: none"> <li>○ Any of the following types of intentional touching, whether direct or through clothing, if that intentional touching is either for the purpose of sexually degrading; or for the purpose of sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or</li> </ul> </li> </ul> </li> </ul>

<b>Crime Type</b> <b>(Wisconsin Statutes)</b>	<b>Definitions</b>
	<p>attempted battery under s.940.19(1): (a) Intentional touching by the defendant or, upon the defendant's instruction, by another person, by the use of any body part or object, of the complainant's intimate parts; (b) Intentional touching by the complainant, by the use of any body part or object, of the defendant's intimate parts or, if done upon the defendant's instructions, the intimate parts of another person.</p> <ul style="list-style-type: none"> <li>○ Intentional penile ejaculation of ejaculate or intentional emission of urine or feces by the defendant or, upon the defendant's instruction, by another person upon any part of the body clothed or unclothed of the complainant if that ejaculation or emission is either for the purpose of sexually degrading or sexually humiliating the complainant or for the purpose of sexually arousing or gratifying the defendant.</li> <li>○ For the purpose of sexually degrading or humiliating the complainant or sexually arousing or gratifying the defendant, intentionally causing the complainant to ejaculate or emit urine or feces on any part of the defendant's body, whether clothed or unclothed.</li> </ul> <ul style="list-style-type: none"> <li>● Fourth Degree Sexual Assault (Wis. Stat. § 940.225(3m)): Except as provided in [the third degree sexual assault statute], whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.</li> <li>■ First Degree Sexual Assault of a Child (Wis. Stat. § 948.02(1)): <ul style="list-style-type: none"> <li>● Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 13 years and causes great bodily harm to the person is guilty of a Class A felony.</li> <li>● Whoever has sexual intercourse with a person who has not attained the age of 12 years is guilty of a Class B felony.</li> <li>● Whoever has sexual intercourse with a person who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony.</li> <li>● Whoever has sexual contact with a person who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony if the actor is at least 18 years of age when the sexual contact occurs.</li> <li>● Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 13 years is guilty of a Class B felony.</li> </ul> </li> <li>● Second Degree Sexual Assault of a Child (Wis. Stat. § 948.02(2)): Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 16 years is guilty of a Class C felony.</li> </ul>

<b>Crime Type</b> <b>(Wisconsin Statutes)</b>	<b>Definitions</b>
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Wisconsin law are as follows:</p> <ul style="list-style-type: none"> <li>• Rape: The institution has determined, based on good-faith research, that Wisconsin law does not define the term rape.</li> <li>• Fondling: The institution has determined, based on good-faith research, that Wisconsin law does not define the term fondling.</li> <li>• Incest (Wis. Stat. § 944.06): Whoever marries or has nonmarital sexual intercourse, as defined in Section 948.01(6) with a person he or she knows is a blood relative and such relative is in fact related in a degree within which the marriage of the parties is prohibited by the law of this state is guilty of a Class F felony.</li> <li>• Statutory Rape: The institution has determined, based on good-faith research, that Wisconsin law does not define the term statutory rape.</li> </ul>
Consent (as it relates to sexual activity)	<p>Under Wis. Stat. § 940.225(4), “consent” means 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. Consent is not an issue in alleged violations of sub. (2) (c), (cm), (d), (g), (h), and (i) [of the sexual assault laws set forth at Wis. Stat. § 940.225]. The following persons are presumed incapable of consent but the presumption may be rebutted by competent evidence, subject to the provisions of s. 972.11(2): (b) A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct; (c) A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.</p> <p>Also, under Wis. Stat. § 939.22(48), “without consent” means no consent in fact or that consent is given for one of the following reasons: (a) Because the actor put the victim in fear by the use or threat of imminent use of physical violence on the victim, or on a person in the victim's presence, or on a member of the victim's immediate family; or (b) Because the actor purports to be acting under legal authority; or (c) Because the victim does not understand the nature of the thing to which the victim consents, either by reason of ignorance or mistake of fact or of law other than criminal law or by reason of youth or defective mental condition, whether permanent or temporary.</p>

College Definition of Consent

The College uses the following definition of consent in its Gender-Based Misconduct Policy for the purpose of determining whether sexual misconduct has occurred:

- **Consent** is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.
- In order to give effective consent, one must be of legal age.
- Consent as defined by Wisconsin law: *"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." Minors, persons suffering from mental illness or defect, and sleeping or unconscious persons are presumed unable to give consent. Failure to resist does not indicate consent. - WI Statute Section 940.225(4).*

### Risk Reduction

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk experiencing a non-consensual sexual act. Suggestions offered:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor "NO" clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect sexual boundaries.
- DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable. Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.

- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

### Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don't hesitate to contact the police.

### Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

### **Ongoing Prevention and Awareness Campaign:**

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

### **PPAP and OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the College. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

1. New students receive education during the First Year Experience course on the prevention of dating violence, domestic violence, sexual assault, and stalking through presentation(s) by key campus constituents. All new employees are required to complete an online training module on these topics upon hire and are required to retake the online training each year.

2. As part of its ongoing campaign, the College uses a variety of strategies, such as in-person presentations by sexual assault organizations, emails blasts with pertinent information, portal announcements, etc. While programming occurs throughout the year, the College also offers educational sessions and literature in coordination with nationally recognized observances such as Sexual Assault Awareness Month and Domestic Violence Awareness Month.

### **Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:**

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911 or Campus Safety at 715-682-1399. You may also contact the College's Title IX Administrator (Michelle Bitzer, Registrar, 715-682-1484) or Deputy Title IX Coordinator (Mackenzie Smith, Head Athletic Trainer, 715-682-1245).

Victims will be notified in writing of the procedures to follow, including:

- To whom and how the alleged offense should be reported (contact the Title IX Administrator or refer to the other resources listed in this report).
- The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
- The victim's options regarding notification to law enforcement, which are: (a) the option to notify either Campus Safety or local law enforcement; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
- Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

#### *Preservation of Evidence & Forensic Examinations*

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Memorial Medical Center; 1615 Maple Lane, Ashland, WI 54806; 715-685-5500.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

#### *Security/Law Enforcement & How to Make a Police Report*

- Campus Safety; 715-682-1399
- Ashland Police Department; 601 W Main Street, Ashland, WI 54806; 715-682-7062; Emergency: 911

- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

### Information about Legal Protection Orders

In Wisconsin, victims may obtain a restraining order, which provides protective relief for victims of domestic violence, stalking, or sexual assault. Information about restraining orders may be found at: <https://www.doj.state.wi.us/ocvs/victim-rights/restraining-orders>.

The process is started by filing a petition for a temporary restraining order (TRO) with the court. Once a TRO petition is filed, the court decides whether or not to issue a TRO based on the information provided. If the court grants the TRO, the court will schedule an injunction hearing within 14 days, at which it is determined whether a final order of protection will be granted. Orders of this nature can be granted for up to 4 years.

- A petition can be filed with the Clerk of the Circuit Court of Ashland County at 201 W Main Street, Ashland, WI 54806 (715-682-7016). More information is available at: [https://co.ashland.wi.us/circuit\\_court](https://co.ashland.wi.us/circuit_court).
- The court can provide necessary forms, which are also found online at: <https://wicourts.gov/forms1/circuit/formcategory.jsp?Category=4>.
- Additional information regarding restraining orders in Wisconsin can be found at: <https://s3.us-east-2.amazonaws.com/wcasa/old-website-resources/Restraining%2BOrders%2Bfor%2BSexual%2BAssault%2BVictims2014.pdf>.

When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

The College will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Administrator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the College will take all reasonable and legal action to implement the order.

The College does not issue legal orders of protection. However, as a matter of institutional policy, the institution may impose a no-contact order between individuals in appropriate circumstances. The institution may also issue a "no trespass warning" if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

### **Available Victim Services:**

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the College and in the surrounding community. Those services include:

#### *College Resources*

- Northland Health Services: 715-682-1387 (<https://www.northland.edu/campus-life/services/health/>)

- Northland Counseling Services: 715-682-1369 (<https://www.northland.edu/campus-life/services/counseling/>)
- Employee Assistance Program - contact Human Resources for more details (715-682-1841)
- Student Services – Sometimes a victim of a crime may feel the need to take a leave of absence from school. Information about an academic leave of absence can be found at <https://my.northland.edu/student-policies/academic-policies/> if a student is considering a leave of absence based on the circumstances of a complaint, they should understand there may be financial aid implications in taking such leave. For further information, please contact the Registrar’s office at 715-682-1227 or Financial Aid at 715-682-1255.

#### *State/Local Resources*

- Advocacy Assistance - Both the county of Ashland and the Center Against Sexual and Domestic Abuse (CASDA) have advocated available.
  - The CASDA Advocate is available to accompany you to the hospital, to the police department, to be with you when you talk to the police officers, or to provide you with guidance and support if you are the victim of sexual violence. CASDA can be reached at 1-800-649-2921. More information is available at: <https://casda.org/>.
  - The Victim Witness Advocate for Ashland County can be contacted in the Assistant District Attorney's Office during business hours (9 am - 5 pm) at 715-682-7019. The advocate can provide you with referral information and can also be a link between you and the legal system.
- Wisconsin Coalition Against Sexual Assault: <https://www.wcasa.org/>
- End Domestic Abuse Wisconsin: <https://www.endabusewi.org/>
- Memorial Medical Center: <https://ashlandmmc.com/>
- Memorial Medical Center - Behavioral Health Services: <https://ashlandmmc.com/services/behavioral-health/mental-health-services/>
- Legal Action Wisconsin: <https://www.legalaction.org/>

#### *National Resources*

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <https://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

## **Accommodations and Protective Measures:**

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to Campus Safety or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Administrator at 715-682-1484, and the Title IX Administrator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the College may consider, among other factors, the following:

1. The specific need expressed by the complainant.
2. The age of the students involved.
3. The severity or pervasiveness of the allegations
4. Any continuing effects on the complainant
5. Whether the complainant and alleged perpetrator share the same class or job location.
6. Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the College in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the College will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

## **Procedures for Disciplinary Action:**

Allegations of dating violence, domestic violence, sexual assault or stalking will be processed through the College's Gender-Based Misconduct Policy and the related Title IX Grievance Process. The complaint resolution procedures are invoked once a report is made to one of the following individuals:

### Title IX Administrator

Michelle Bitzer, Registrar  
715-682-1484  
200 Ponzio Campus Center  
mbitzer@northland.edu

### Deputy Title IX Coordinator

Mackenzie Smith, Head Athletic Trainer  
715-682-1245  
Kendrigan Gymnasium 112  
msmith@northland.edu

### Title IX Grievance Process

This process applies to complaints involving a student complainant or respondent. Upon receiving a complaint, the College will conduct a preliminary inquiry to determine whether to commence a formal investigation, and, if appropriate, conduct a threat assessment. A decision not to pursue a formal investigation may be appropriate when: (1) the complaint and information provided by the parties are insufficient to initiate an investigation; (2) the complainant has requested no action and it is concluded that this request may be honored; (3) the complaint and information provided by the parties do not allege conduct that violates the Gender-Based Misconduct Policy; or (4) the complaint and information provided by the parties involve only matters for which the College does not have jurisdiction. The preliminary inquiry shall be conducted promptly, typically within ten (10) business days of receiving the complaint.

Within ten (10) days of a decision being made to commence a formal investigation, written notification will be provided to the parties by email and certified mail. The notice will identify the parties involved, the specific section of the policy allegedly violated, the conduct allegedly constituting the potential violation, and the date and location of the alleged incident.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Upon completion of the investigation, the investigator makes a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. The investigator will then prepare an investigation report outlining the findings and include, if necessary, sanctions or other remedial measures to impose. The parties will be notified of this determination in writing. The institution strives to complete investigations of this nature within sixty (60) calendar days, though some investigations take weeks or even months, depending on numerous factors, including the nature, extent and complexity of the allegations and the availability of witnesses.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Title IX Administrator within ten (10) calendar days of being notified of the outcome of the investigation. If the appeal is timely and satisfies at least one of the grounds for which an appeal may be filed, the Appeal Officer will review the case and make a determination. The Appeal Officer will prepare an appeals response and submit written notification to the parties, generally within twenty (20) calendar days of receipt of the appeal indicating whether the appeal has been accepted or rejected.

In cases where the respondent is a student and the recommended sanction of the investigator includes suspension or expulsion, the appeal process will include a hearing before a panel of three trained faculty members. Following the hearing, the panel will determine by consensus whether a preponderance of the evidence demonstrates that the respondent is responsible for the policy violations in question. If the respondent is found responsible, the panel shall determine appropriate sanctions and remedial actions. The chair of the panel will prepare a written report to be provided to the investigator and Title IX Administrator within ten (10) calendar days of the hearing. The Title IX Administrator will then inform the parties in writing of the determination within five (5) calendar days of receipt of the panel's report. The parties will have an opportunity to appeal the panel's determination consistent with the process described in the previous paragraph.

Note that in lieu of the process described above, the College may utilize informal conflict resolution to dispose of the complaint, though both parties must be willing to engage in the informal process. This

type of resolution is often used for less serious, yet inappropriate behaviors and is encouraged as an alternative to resolve conflicts. However, mediation as a form of conflict resolution is never utilized in cases involving allegations of nonconsensual sexual intercourse or nonconsensual sexual conduct. In the event the parties are unable to reach a mutually agreeable resolution during the informal conflict resolution process, the matter will be referred to the formal investigation or appeal process described above as appropriate.

#### *Procedure When Complaint Does Not Involve a Student*

This process applies to complaints involving an employee complainant and an employee respondent. Complaints by an employee against an employee are directed to the Office of Human Resources or to the Chief Operating Officer if the complaint involves a member of the Human Resources Team. Upon receiving a complaint, the College will conduct a preliminary inquiry to determine whether to commence a formal investigation, and, if appropriate, conduct a threat assessment. A decision not to pursue a formal investigation may be appropriate when: (1) the complaint and information provided by the parties are insufficient to initiate an investigation; (2) the complainant has requested no action and it is concluded that this request may be honored; (3) the complaint and information provided by the parties do not allege conduct that violates the Gender-Based Misconduct Policy; or (4) the complaint and information provided by the parties involve only matters for which the College does not have jurisdiction. The preliminary inquiry shall be conducted promptly, typically within ten (10) business days of receiving the complaint.

Within ten (10) days of a decision being made to commence a formal investigation, written notification will be provided to the parties by email and certified mail. The notice will identify the parties involved, the specific section of the policy allegedly violated, the conduct allegedly constituting the potential violation, and the date and location of the alleged incident.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Upon completion of the investigation, the investigator makes a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. The investigator will then prepare an investigation report outlining the findings and include, if necessary, sanctions or other remedial measures to impose. The parties will be notified of this determination in writing. The institution strives to complete investigations of this nature within sixty (60) calendar days, though some investigations take weeks or even months, depending on numerous factors, including the nature, extent and complexity of the allegations and the availability of witnesses.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Office of Human Resources within ten (10) calendar days of being notified of the outcome of the investigation. If the appeal is timely and satisfies at least one of the grounds for which an appeal may be filed, the Appeal Officer will review the case and make a determination. The Appeal Officer will prepare an appeals response and submit written notification to the parties, generally within twenty (20) calendar days of receipt of the appeal indicating whether the appeal has been accepted or rejected.

Note that in lieu of the process described above, the College may utilize informal conflict resolution to dispose of the complaint, though both parties must be willing to engage in the informal process. This type of resolution is often used for less serious, yet inappropriate behaviors and is encouraged as an alternative to resolve conflicts. However, mediation as a form of conflict resolution is never utilized in

cases involving allegations of nonconsensual sexual intercourse or nonconsensual sexual conduct. In the event the parties are unable to reach a mutually agreeable resolution during the informal conflict resolution process, the matter will be referred to the formal investigation or appeal process described above as appropriate.

### **Rights of the Parties in an Institutional Proceeding:**

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

- A prompt, fair and impartial process from the initial investigation to the final result.
  - A prompt, fair and impartial process is one that is:
    - a. Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
    - b. Conducted in a manner that:
      - i. Is consistent with the institution's policies and transparent to the accuser and the accused.
      - ii. Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
      - iii. Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
    - c. Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
- Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
  - Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. Both the Title IX Administrator and the Deputy Title IX Coordinator have received ATIXA Title IX Coordinator and Administrator certification.
- The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
- Have the outcome determined using the preponderance of the evidence standard.
- Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this

purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

### **Possible Sanctions or Protective Measures that the College May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:**

Following a final determination in the College's disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the College may impose a sanction depending on the mitigating and aggravating circumstances involved.

#### *Student Sanctions*

- **Warning:** A formal statement that the behavior was unacceptable and a warning that further infractions of any Northland policy, procedure, or directive will result in more severe sanctions/responsive actions.
- **Probation:** A written reprimand for violation of the Gender-Based Misconduct Policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any Northland policy, procedure, or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders, and/or other measures deemed appropriate.
- **Suspension:** Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Student who return from suspension are automatically placed on probation through the remainder of their tenure at Northland. This sanction may be noted as a Conduct Suspension on the student's official transcript, at the discretion of the Title IX Administrator.
- **Expulsion:** Permanent termination of student status, revocation of rights to be on campus for any reason or attend Northland sponsored events. This sanction will be noted as a Conduct Expulsion on the student's official transcript.
- **Withholding Diploma:** Northland may withhold a student's diploma for a specified period of time, and/or deny a student's participation in commencement activities if the student has an allegation pending, or as a sanction if the student is found responsible for an alleged violation.
- **Revocation of Degree:** Northland reserves the right to revoke a degree awarded for fraud, misrepresentation or other violation of Northland policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- **Other Actions:** In addition to, or in place of the above sanctions, Northland may assign any other sanctions as deemed appropriate.

#### *Employee Sanctions*

- Verbal or written warning
- Performance improvement plan
- Required counseling
- Required training or education
- Probation

- Loss of annual pay increase
- Loss of oversight or supervisory responsibility
- Demotion
- Suspension (with or without pay)
- Discharge
- Other actions as deemed appropriate by Northland

In addition, the College can make available to the victim a range of protective measures. They include: forbidding the accused from entering the victim’s residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

### **Publicly Available Recordkeeping:**

The College will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the College to the extent permitted by law.

### **Victims to Receive Written Notification of Rights:**

When a student or employee reports to the College that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

### **Sex Offender Registration Program:**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Title IX Administrator at 715-682-1484. State registry of sex offender information may be accessed at the following link: <https://appsdoc.wi.gov/public>

## **Timely Warnings and Emergency Response**

### *Timely Warnings*

In the event of criminal activity occurring either on campus or off campus that in the judgment of the key campus leadership (which could include Campus Safety, the Dean of Students, Title IX Administrator and/or the Emergency Response Team) constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and

employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Campus Safety, 715-682-1399

The College has communicated with local law enforcement asking them to notify the College if it receives reports or information warranting a timely warning.

### Emergency Response

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to:

- Severe Weather Warning
- Natural Disaster
- Civil Disorders
- Structure or Wildland Fire
- Dangerous or Serious Crime in Progress or Other Police Emergency
- Active Shooter
- Suspicious Person Alert
- Bomb Threat
- Power Outage
- Chemical/Nuclear/Biological Spill or Other Hazardous Materials Incident
- Airplane Crash

The College has communicated with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the Campus Safety Office at 715-682-1399 of any emergency or potentially dangerous situation.

The office of Campus Safety, the office of Student Affairs, and the Maintenance and Facilities office are responsible for confirming there is a significant emergency or dangerous situation on campus that could cause an immediate threat to the health and safety of the members of the campus community. There are other departments on campus that could be in a position to confirm certain types of emergencies, such as pandemic flu outbreak.

The Executive Director of Information Technology, Marketing and Communications office, the Chief Operating Officer, and the Dean of Students have access to the systems to notify the campus community of immediate threats that have occurred and necessitate evacuation or shelter-in-place or other action on the part of students, employees, and campus visitors. The Marketing and Communications office has the authority to determine the appropriate segment or segments of the campus community that will receive alerts, to determine the content of the alert, and to initiate the notification system.

In the event of a serious or emergency situation that poses an immediate threat to the health or safety of the campus community, the College will, without delay, and taking into account the safety of the community, determine the content of the notification, initiate the notification system, and disseminate a campus-wide notice, unless issuing a notification will, in the professional judgement of the responding authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

All messages should include the type of situation, the location of the situation, the time and date, instructions for the recipient and an additional method for the public to obtain information. The following individuals, at a minimum, will routinely be involved in making these determinations/decisions:

1. Campus Safety
2. Chief of Staff
3. Chief Operating Officer
4. Dean of Students
5. Executive Director of Human Resources and Institutional Risk Management
6. Executive Director of Information Technology

The Marketing and Communications office will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

In addition to the notification of the on-campus community, the College will also report any significant emergency or dangerous situation to the local community. The initial report will be executed by the College President, or designee. All follow-up reports and all communications to local and regional media will be managed by the Marketing and Communications office. This will ensure Northland College sends consistent information to those off campus.

*Methods for Issuing Timely Warnings and Emergency Notifications*

The method(s) listed below may be utilized when the College issues a timely warning or emergency notification to the campus community.

<b>Method</b>	<b>Sign-Up Instructions</b>
Electronic communication	N/A
Email	All College students and employees are assigned a College email address
Website alert	N/A
Campus phone system	N/A
Postings on campus	N/A
Emergency Alert Notification System (E2Campus)	More details can be found at <a href="https://my.northland.edu/life/be-safe/e2campus/">https://my.northland.edu/life/be-safe/e2campus/</a>

### Testing & Documentation

Northland College Emergency Alert Notification System equipment is tested at least once per calendar year to ensure it is working properly. At least once annually the College will conduct a full activation of the Emergency Alert Notification System which will be advertised to Northland College and the local communities beforehand. The Northland College-wide emergency management plan is put into place at least once per year depending on the nature of events on campus. If an event does not occur in a calendar year, the plan will be tested as a table top or field exercise. In addition, residential building fire and emergency evacuation plans are tested at least twice per year.

The Executive Director of Information Technology maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employees information to remind them of the College's emergency response and evacuation procedures.

### **Missing Student Policy**

Northland College takes student safety very seriously. The Higher Education Act requires that all institutions that provide on-campus student housing must establish a missing student notification policy and procedure. This policy establishes the procedures for the College's response to reports of missing students. This policy applies to students who reside in campus housing including Gaia's Cradle. . For purposes of this policy, a student may be considered to be a "missing person" if the person's absence is contrary to his/her usual pattern of behavior without informing roommates, friends, or housing staff of the change.

At the beginning of each academic year, students will be asked to voluntarily provide emergency contact information in the event they are reported missing while enrolled at Northland. Students age 18 and above and emancipated minors will have the opportunity to designate an individual or individuals to be contacted by the College. Students under the age of 18 will have their parent or custodial guardian notified as required by the law. The emergency contact information will be kept in the Office of Student Affairs and will be updated annually.

#### **General Procedure for a Missing Person**

Any individual who has information that a resident student may be a missing person must notify the Office of campus safety at 715-682-1399 as soon as possible.

- The Office of Campus Safety will collect and document the following information at the time of the report from the reporting person and from the student's acquaintances:
  - The name and relationship of the person making the report.
  - The date, time, and location the missing student was last seen.
  - A physical description of the student including clothes last worn.
  - The general routine or habits of the suspected missing student including any recent changes in behavior or demeanor.
  - The missing student's cell phone number.
- If a residential student has not been seen on campus for more than 24 hours, the Office of Campus Safety will contact the Dean of Students and the Director of Residential Life in order to update them on the situation and receive any additional guidance. The Dean of Students will

ascertain when/if members of the Administrative Counsel need to be contacted or if the Emergency Responses Team needs to convene.

- Upon notification that a student may be missing, Northland may use any or all of the following resources to assist in locating the student:
  - Call the student's cell phone number.
  - Go to the student's room and perform a health/safety check.
  - Secure a current student ID picture.
  - Talk to the student's roommate, friends, hall mates, RA and HRA to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time, and location the student was last seen.
  - Contact the student's instructors and work-study supervisor to confirm the last time the student was seen.
  - Send the student an email and/or text message.
  - Check all possible on-campus locations mentioned by the parties above including the library, gym common spaces, lounges, etc...
  - Ascertain the student's car make, model, and license plate number. Check all on-campus parking lots for the presence of the student's vehicle.
  - Contact or call any other on- or off-campus friends or social contacts. This includes checking social networking sites.
  - Work with IT to obtain email logs in order to determine last use of the Northland network.
- Every report made to Campus Safety will be followed up with an immediate investigation once a student has been reported missing.
- If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), Campus Safety, after consulting with the Dean of Students, will contact the appropriate law enforcement agency to report the student as a missing person and the local law enforcement agency will take charge of the investigation.
- No later than 24 hours after determining that a residential student is missing, the Dean of Students will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

Public communications about missing students. After consulting with the Chief Operating Officer and Chief of Staff, the Office of Marketing and Communications is responsible for defining and disseminating College messages during a crisis. Public or media inquiries concerning missing persons, or any active law enforcement investigation, shall be referred to Northland College Marketing and Communications for referral to law enforcement authorities as appropriate.

## Crime Statistics

The statistical summary of crimes for this College over the past three calendar years follows:

Crime	On Campus			On Campus Housing			Non Campus			Public Property		
	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape <sup>1</sup>	3	1	0	3	0	0	2	0	0	0	0	0
Fondling	0	0	0	0	0	0	1	0	0	1	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson <sup>2</sup>	2	0	0	1	0	0	0	0	0	0	0	0
Arrest - Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	80	115	54	77	115	54	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	25	38	22	25	38	22	0	0	0	0	0	0

<sup>1</sup> Upon further review, the 2017 statistics for rape have been updated from the 2018 Annual Security Report.

<sup>2</sup> In the 2018 Annual Security Report, there were 2 arson statistics erroneously disclosed for 2017. Upon further review, these are actually 2018 statistics.

Disciplinary Referral - Weapon Violation	1	1	0	1	1	0	0	0	0	0	0	0
Domestic Violence	2	0	0	1	0	0	1	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	2	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0

**Hate crimes:**

**2018:** No hate crimes reported.  
**2017:** No hate crimes reported.  
**2016:** No hate crimes reported.

**Crimes unfounded by the College:**

**2018:** 0 unfounded crimes.  
**2017:** 0 unfounded crimes.  
**2016:** 0 unfounded crimes.

**Statistics for unfounded crimes provided by law enforcement agencies:**

**2018:** 0 unfounded crimes.  
**2017:** 0 unfounded crimes.  
**2016:** 0 unfounded crimes.

**Data from law enforcement agencies:**

- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the College’s Clery Geography.

# Annual Fire Safety Report

## Housing Facilities and Fire Safety Systems

The College maintains on-campus housing for its students. Below is a description of fire safety systems and the number of fire drills conducted during the previous calendar year.

**Campus:** Northland College, 1411 Ellis Ave, Ashland WI 54806

Facility	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of evacuation (fire) drills in previous calendar year
Fenenga Hall, 1411 Ellis Ave	3 <sup>rd</sup> Party Service	No	No	Yes	Yes	Yes	3
McLean MELLC, 1411 Ellis Ave	3 <sup>rd</sup> Party Service	No	Yes	Yes	Yes	Yes	2
McMillan Hall, 1411 Ellis Ave	3 <sup>rd</sup> Party Service	No	No	Yes	Yes	Yes	2
Mead Hall, 1411 Ellis Ave	3 <sup>rd</sup> Party Service	No	No	Yes	Yes	Yes	2
Memorial Hall, 1411 Ellis Ave	3 <sup>rd</sup> Party Service	No	No	Yes	Yes	Yes	2
Townhouses, 1411 Ellis Ave	No	No	No	Yes	Yes	Yes	0
Gaia's Cradle, 1208 2nd Ave West	No	No	No	Yes	Yes	Yes	0

## Policies on Portable Appliances, Smoking and Open Flames

### Candles, Oil Lamps & Incense

All candles, oil lamps, incense or other items that produce an open flame (whether lit or unlit) are not permitted in any residential housing building including townhouses, apartments and Gaia's Cradle. Candle warming devices are allowed if they come equipped with an automatic on-off switch. If a student wishes, incense will be provided for meditation/religious use in the Spiritual Life Center on the fourth floor of Wheeler Hall.

### Electrical Appliance Information

Cooking in the residence hall rooms is discouraged, as the residence hall rooms are not designed for this purpose. Popcorn poppers, hot pots and similar devices (i.e., with no open burner/coil and limited wattage) are acceptable. Devices such as hot plates, Fry Daddy's, electric frying pans, fondue pots, or other similar appliances which require grease and/or open flame for cooking are not permitted. Microwave ovens are provided in each residence hall kitchen, and those that require 800 watts or less are allowed in the residence hall rooms. Any appliance used in the residence halls must be UL listed and be in good condition with no broken parts or damaged cords. If you are unsure about an appliance that you have, contact the Office of Residential Life for clarification. Only compact refrigerators are permitted in the residence hall rooms.

Electrical clocks, radios, stereos, televisions, blankets, razors, microwaves, George Foreman grills, personal computers, and small refrigerators may be used in resident rooms. The only cooking appliances permitted are coffee makers, microwaves, and appliances with self-contained heating units. Each hall provides kitchens for extensive cooking. Possessing or using hazardous electrical appliances such as those with exposed heating elements is not permitted in residence hall rooms.

We recommend the use of surge protectors for all electrical equipment. Residents may not alter the electrical systems or equipment in their rooms/apartments/townhouse. Residents of the MELLC apartments, townhouses and Gaia's Cradle should speak with the Office of Residential Life to request to use any special appliances in their unit.

### Fire Hazards

The following are considered fire hazards and may not be stored or used in residence halls or housing units:

- Any type of fuel (camp stove, gas, kerosene)
- Any machine/equipment which requires the above to operate
- Homemade lofts or decks
- Anything blocking windows or doorways (i.e., tapestry hung in doorway, bicycle hung in front of window, etc.)
- Bicycles, etc., in hallways and lounges
- Halogen/torch style lamps. Due to the high level of danger associated with this style of light as well as the extreme energy inefficiency of halogen lamps, Northland College does not allow this type of fixture in residence hall rooms. Any student found in possession of this style of lamp will be required to remove the lamp.
- Cut trees or bushes (i.e., Christmas trees)
- Hallways and stairwells must remain clear of resident items to allow for a safe fire exit. Items stored inappropriately will be removed without the owner's consent.
- Incense, candles, oil lamps, and other open-flame objects are not permitted in residence hall rooms, housing units or living areas
- Anything that can be reasonably determined to be a hazard by the Director of Residential Life

### Flammable Liquids, Chemicals, Open Flame, Fire Hazards

The possession and use of any harmful chemicals, flammable liquids/lighter fluid, firecrackers, and/or other explosives in the residence halls or immediate vicinity is prohibited.

### Health and Safety Inspections

The Office of Residential Life and Campus Safety conduct safety inspections of every residence hall room each semester. In addition, Campus Safety and the Facilities/Maintenance Office conduct safety inspections of all facilities along with a member of the Ashland Fire Department. The inspections include a visual examination of electrical cords, sprinkler heads, and smoke detectors. In addition, each room is inspected for the presence of prohibited items such as candles, halogen lamps, open coiled appliances, pets, etc. Rooms are also inspected for prohibited activities such as smoking in the rooms, removal of door closers, unauthorized door locks, removal of exterior window screens, and tampering with emergency equipment. The inspections also include a general assessment of cleanliness of the room, including food and waste storage. Residents are notified prior to inspection when the date and time of inspection will occur. Notice of health and safety checks are posted in the common areas and/or via email to your Northland account 48 hours before they are to be initiated in a building. Also, rooms are typically checked during interim periods when the residence halls are closed. Residents will be held accountable if other policy violations are noticed during these health and safety inspections. All areas of your room will be checked. Conditions warranting follow up are turned over to the Office of Residential Life.

### **Fire Evacuation Procedures**

If a fire is detected or a fire alarm sounds, evacuate the area. Every room on campus is provided with a map highlighting evacuation routes for your location. Please review and proceed. Isolate the fire by closing doors as you leave. Do not attempt to extinguish fire yourself.

The campus fire alarm systems alert community members of potential hazards. Community members are required to heed an activated alarm system, and evacuate a building immediately. Use the nearest available exit to evacuate the building. Gather outside at the designated area notated in the emergency posting for all facilities. Community members should familiarize themselves with the exits in each building.

When a fire alarm is activated the elevators in our buildings will be recalled to a "safe floor" and will not activate after the alarm is sounded. Occupants should use the stairs to evacuate the building.

### **Fire Education and Training Programs**

All first-year students receive fire safety training when they arrive at Northland College at the beginning of the academic school year through the Residence Life staff. All residential staff receive annual fire safety training at the beginning of the academic year. Campus Safety serves as an additional resource for educating the entire campus community.

### Emergency Evacuation Drills

The supervised scheduled drills at campus residence halls are facilitated by the Office of Residential Life in cooperation with assigned college personnel and Campus Safety. Various drills are conducted throughout the year to familiarize students, faculty and staff with the Emergency Procedures and individual roles. Each residence hall, the townhouses, and the college-owned student housing has two fire evacuation drills each year.

### Fire Alarms

When an alarm is sounded, it should be treated as an emergency. **It is in violation of campus policy for any person to not respond to a fire alarm.**

*During an alarm:*

- *Put on shoes/coat*
- *Close window and open curtains*
- *Touch door to see if it is hot, if so, stay in room and try to attract attention through window*
- *If door is not hot, turn off lights and other electrical appliances*
- *Close your door, but leave it unlocked*
- *Exit building*
- ***Remain outside until HRA, RA, Campus Safety or fire department give the all clear***

### Fire Drills

Each term, the Campus Safety staff will conduct fire drills to help you prepare yourself for a potential fire alarm/fire. Residents are expected to abide by the directions of the staff during fire drills and fire alarms

### Fire Equipment

It is illegal to tamper, in any way, with firefighting equipment (extinguishers and hoses, emergency lights, exit signs, or smoke detectors). To do so unnecessarily endangers others in the event of a crisis. All violators of this policy will be prosecuted in accordance with the law. Students who reside in an area in which a smoke detector is disconnected, turned off or tampered with, causing the device to malfunction, will be referred for disciplinary action and charged for repair/replacement of the device. Each smoke detector is equipped with a battery backup. In the event that a battery charge is low, a beep will be heard. Please notify an RA or HRA immediately to facilitate the changing of the battery.

### Reporting Fires

The College is required to disclose each year statistical data on all fires that occurred in on-campus student housing. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. If you encounter a fire that presents an emergency situation, ensure your own safety and then please call 911.

There may also be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the Office of Campus Safety at 715-682-1399. When providing notification of a fire, give as much information as possible about the location, date, time and cause of the fire.

### Plans for Future Improvements

The College periodically reviews its fire safety protections and procedures and its plans for future improvements. At this time, it has no plans for future improvements.

## Fire Statistics

**2018:**

*Reported Fires*

<b>Residential Facility</b>	<b>Total Number Fires</b>
Fenenga Hall	1
McLean MELLC	0
McMillan Hall	0
Mead Hall	0
Memorial Hall	0
Townhouses	0
Gaia's Cradle	0

*Additional Information about Reported Fires*

<b>Residential Facility</b>	<b>Cause of Fire(s)</b>	<b>Number of Injuries that Required Treatment at a Medical Facility</b>	<b>Number of Deaths Related to a Fire</b>	<b>Value of Property Damage Caused by Fire</b>
Fenenga Hall	Intentional/Arson	0	0	\$100

**2017:**

*Reported Fires*

<b>Residential Facility</b>	<b>Total Number Fires</b>
Fenenga Hall	0
McLean MELLC	1
McMillan Hall	0
Mead Hall	0
Memorial Hall	0
Townhouses	0
Gaia's Cradle	0

*Additional Information about Reported Fires*

<b>Residential Facility</b>	<b>Cause of Fire(s)</b>	<b>Number of Injuries that Required Treatment at a Medical Facility</b>	<b>Number of Deaths Related to a Fire</b>	<b>Value of Property Damage Caused by Fire</b>
McLean MELLC	Unintentional/laptop battery overheated <sup>3</sup>	0	0	\$936

**2016:** No fires reported.

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<sup>3</sup> Previously reported as Arson in error.