

Subject: Sexual Assaults/Harassment Incident Reporting Policy

Date Effective: June 13, 1991 (revised July 1993)
Executive Council Approval: July 1993
Chancellor Approval: (signature on original copy)

PURPOSE

A state law adopted in 1990 requires the Board of Regents of the University of Wisconsin System (UWS) to direct each institution: (1) to provide annually new and enrolled students with verbal and written information on sexual assault and sexual harassment and (2) to record and report annually to the Legislature all incidents of sexual assault and harassment.

In addition, the Higher Education Amendments of 1992 adopted pursuant to the *Student Right to Know and Campus Security Act, 1990*. Listed below are actions mandated by both state and federal laws.

1. To develop and adopt policies and procedures to prevent sex offenses, and to report and investigate any incidents of sexual assault or harassment that occur on campus.
2. To clearly articulate and widely disseminate institutional disciplinary policies and enforcement policies and procedures. Publications should include precise definitions of all forms of sexual assault based on state and local laws and possible sanctions following institutional disciplinary procedures.
3. To educate faculty, staff and students about sexual harassment and sexual assault.
4. To provide a list of campus and local area resources, including law enforcement, legal services, medical services and counseling and victim advocacy/support.

The requirements of these laws are reflected in the following policy.

POLICY

Any employee witnessing an assault on any UWS campus, or in a UWEX or UWS facility or building, or who receives a report from a student who has been sexually assaulted, shall **immediately advise the appropriate dean or division/department director of the incident or report.** Reports shall include information about any "*forcible or nonforcible*" sex offenses. It is critical that any evidence as may be necessary to the proof of criminal sexual assault **must be preserved.**

Forcible sex offenses are defined as "any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent, including forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. *Nonforcible sex offenses* are acts of "unlawful, nonforcible sexual intercourse," and include incest and statutory rape. Acquaintance rape may fall in either category.

Information reported **shall include** the following:

- *Date, time, and place* of the assault
- *Race, sex, and age* of the *victim*
- *Race, sex, and age* of the *assailant/offender*, if known
- Date of the report
- Date of any reports filed with any law enforcement authority (please specify)
- Description of the victim's injuries and whether or not a weapon was used
- Name of person making report

PROCEDURE

Any employee of The University of Wisconsin-Extension is required to report, **within 24 hours of observation or receipt of information**, all instances of sexual assault involving any student, client, faculty, instructor or other employee to the dean or director of the division having jurisdiction over the area where the assault occurred.

The person receiving the information about the reported incidents (see Complaint Reporting

Form) shall record reported incidents of sexual assault. All reports are to be **submitted immediately to the UWEX Office of Equal Opportunity and Diversity Programs.**

Victims are to be encouraged to report assaults to the appropriate law enforcement agencies (whether on or off campus). Employees reporting incidents of sexual assault are not required to conduct investigations or to reveal the identity of the victim unless the victim has given written consent for the release of identifying information.

Nothing in this policy shall be interpreted to prohibit official investigations by appropriate administrative officials into the circumstances of a reported sexual assault/harassment in order that immediate remedial/corrective measures can be undertaken.

FORMS USED

- Complaint Reporting Form
- Sexual Assaults Brochure
- Legal Definitions of Sexual Assaults (State and Local)
- List of Community Resources and Law Enforcement Agencies
- List of names, addresses and telephone numbers to who reports of assaults must be submitted.